

9-11.07  
Workshop



September 5, 2007

Mr. Dale Surratt  
Oconee County Administrator  
415 S Pine Street  
Walhalla, SC 29691

RE: Proposal for I-85 Sewer Service  
Goldie and Associates Proposal P07057

Dear Mr. Surratt,

Enclosed please find the information you requested. Sewer service is desperately needed along the I-85 corridor in Oconee County and for the new Oconee County Industrial Park in Fair Play.

### ***Key Decision Factors***

To briefly reiterate what we believe are the key factors why the Council should proceed with this proposal for the progress of Oconee County:

1. The County can have sewer available for the Commerce Park in 18 to 24 months, which we believe will be faster than any other alternative. We are taking action on this project and will begin the required soils percolation testing at the site next week.
2. The County can have sewer available at \$1.2 million. A great deal of this, if not all, will be recovered through the sale of the land (if the land proves suitable), and through the sale of capacity to the industries at the Commerce Park.
3. The County will not have to take responsibility for the funding, bonding or financing of the total project, or for any future shortfall in the operating costs.
4. The County will have millions of dollars of investment brought to the table to help fund the project.
5. The County will have a pretreatment program at the Commerce Park that will work with industry to meet their needs and provide attractive discharge limits while responsibly protecting the sewer system.
6. The County can offer industries sewer service with an entity that will have a sewer rate regulated by the Public Service Commission and the Office of Regulatory Services.
7. The County will have sewer service in southern Oconee County by an entity that has proven that it can and will work to attract commerce, and that is in business to help the County grow.
8. The County will have sewer service provided by an entity with a good working relationship with the Economic Development Director as well as other County staff.
9. The County will be a part of a sewer system that is planned with growth in mind and offers flexibility and capacity for the future.

10. Goldie & Associates has an excellent, long term relationship with the SCDOT representative at the Welcome Center, which will help ensure solid funding for the project. (It was through this relationship that the original contract was developed.)

### **County's Upfront Costs**

The County's initial outlay is estimated to be \$1,212,000. If the County Commerce Park property proves to be the most suitable for the land application area, the County could sell as much as 50 acres to Jacobb for land application ( $\$5,825/\text{ac} * 50 \text{ ac} = \$291,250$ ), which could reduce the County's initial upfront costs. The County could further reduce its cost by selling its capacity to those who locate in the Commerce Park.

### **Basic System**

The system we are proposing would consist of the following facilities:

1. The existing Welcome Center WWTP would be closed out and the existing tanks used as equalization.
2. A new lift station would be constructed at the Welcome Center with a 6 inch forcemain. The projected future flow at the Welcome Center would require only 69 gpm<sup>1</sup>; however, the lift station will be sized to meet the DHEC minimum 2 ft/sec flow in the pipe, which is 180 gpm. The lift station will be upgradable should the DNR property desire to hook onto the system. Preliminary flow estimates for this property have been in the order of 90,000 gpd. The 6 inch pipe has a reasonable capacity of 260,000 to 315,000 gpd<sup>2</sup> and could easily include the flow from this property.
3. The Welcome Center forcemain would connect with the forcemain from a pump station on the north side of I-85 at Exit 1. This pump station would be capable of pumping the 40,000 gpd required for the developer at this intersection, but would be upgradable for future flows.
4. The 6 inch forcemain from these pump stations will flow to a pump station at Exit 2. This pump station will be capable of pumping this flow plus additional flow from developers at this exit. The 8 inch forcemain from this pump station will be reasonably capable of pumping 520,000 to 630,000 gpd<sup>3</sup> to the new WWTP to be located at the Commerce Park on Hwy 59. More capacity can be pumped through the pipe, but this would be the normal range.
5. A new pump station at Exit 4 with 6 inch forcemain would pump from this exit toward the WWTP. The pump station would be capable of pumping the required

<sup>1</sup> 40,000 gpd (20 year flow) \* 2.5 peaking factor / 1440 min/day = 69 gpm.

<sup>2</sup> Based on 5 fps to 6 fps velocity in the 6 inch pipe.  $450 \text{ gpm} / 2.5 \text{ PF} * 1440 = 260,000 \text{ gpd}$ .  $550 \text{ gpm} / 2.5 \text{ PF} * 1440 = 315,000 \text{ gpd}$ .

<sup>3</sup> Based on 6 fps to 7 fps velocity in the 8 inch pipe.  $900 \text{ gpm} / 2.5 \text{ PF} * 1440 = 520,000 \text{ gpd}$ .  $1100 \text{ gpm} / 2.5 * 1440 = 630,000 \text{ gpd}$ .

the future. The 55,000 gpd flow would only require 95 gpm pumps; however, the pumps will be designed to meet the DHEC required 2 fps flow at 180 gpm.

6. This forcemain would join with the other forcemain at the intersection of Hwy 282 and Hwy 59.
7. The WWTP is will be a 250,000 gpd plant, capable of producing reuse quality water (5 mg/L BOD and 5 mg/L TSS). Based on the present initial investors this would provide for their 175,000 gpd flow and have 75,000 gpd remaining to sell.
8. The WWTP will dispose of the wastewater by spray or drip irrigation as required by the topography. Land will be secured in order to meet the requirements for disposal. The exact amount of land will depend greatly on the topography, soils and the evaluation by DHEC. We have included 82 acres in our cost.
9. We have not included gravity sewer in the Fairplay Area, as some have suggested. We are agreeable to this if the funding for this becomes available through investors or if the County wants to fund it. Though we certainly want to be preparing for future needs as much as possible, we must balance this with keeping the project affordable.

### ***Target Date for Decision***

We certainly understand the County's desire to have complete information to make this important decision. Such is the need of government. However, private sector business people must move quickly because of the often excruciating financial demands that time puts on them. Therefore, we simply must move ahead with this project, and we will need to have a response by September 11 or we will have to withdraw our offer.


If this proposal is attractive to you, please indicate your acceptance to us in writing and we will begin drafting the necessary contract to proceed.

We wish the County the best in this difficult decision. Thank you for your consideration in this project; we look forward to working with you for the progress of Oconee County.

If you have any question or need additional information, please contact our office.

Sincerely,

**GOLDIE & ASSOCIATES**



Stephen R. Goldie  
President

Cc: Mr. Brad Norton

## Proposal from Jacobb Utilities

### Technical Details

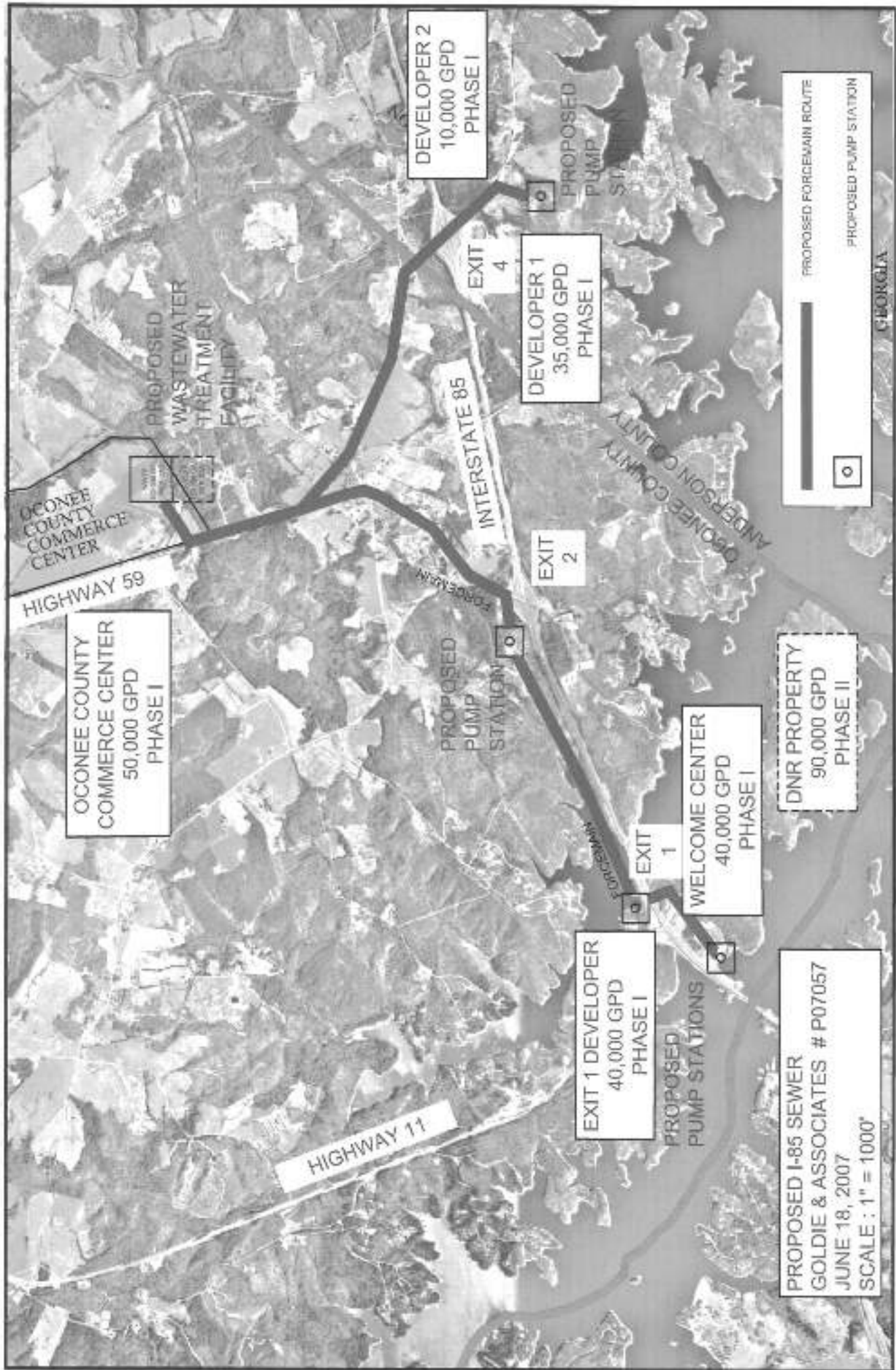
1. Welcome Center Lift Station – pumps across I-85 North with 6" forcemain  
DOT reserves 40,000 gpd capacity  
6" forcemain has capacity of at least 260,000 gpd  
\* If the DNR property is developed and uses the sewer system, the lift station will require an upgrade
2. Exit 1, North of I-85 – pump station with 6" forcemain to pump station at Exit 2
3. Exit 2 – pump station – 8" forcemain to Treatment Plant – capacity of at least 520,000 gpd – gravity sewer could be substituted for some of the forcemain from Exit 2 to Treatment Plant. Additional cost for gravity sewer is approximately \$20.00 per lineal foot.
4. Pump Station at Exit 4 – 6" forcemain to intersection of Highway 282 and Highway 59
5. Treatment Plant – 250,000 gpd – Investors own 175,000 gpd capacity. Land application of effluent - spray and/or drip.  
82 acres estimated in cost

### Cost Factors

1. Cost to Oconee County –  
Estimated cost of \$1,212,000
2. Jacobb intends to purchase property from Oconee County for Treatment Plant at \$5,825.00 per acre. Jacobb estimates that it will purchase approximately 50 acres.
3. County will own 50,000 gpd capacity in the treatment plant. The County can sell this capacity to industries/businesses that locate in the Commerce Park or elsewhere. The County decides the cost of this capacity to third parties.
4. County could recoup part of its investment from the sale of the additional 75,000 gpd capacity in the Treatment Plant.
5. County has no future cost obligation for user fees. The users of the system will be responsible for transportation and treatment costs. Rates will be set by the public service commission.
6. Jacobb will post an operation bond with the State. The maximum operation bond is \$300,000.00. The investors could require Jacobb to post a



performance bond to insure that the project is built, but this would increase the cost of the project.



PROPOSED I-85 SEWER  
GOLDIE & ASSOCIATES # P07057  
JUNE 18, 2007  
SCALE: 1" = 1000'

DNR PROPERTY  
90,000 GPD  
PHASE II

WELCOME CENTER  
40,000 GPD  
PHASE I

EXIT 1 DEVELOPER  
40,000 GPD  
PHASE I

OCONEE COUNTY  
COMMERCE CENTER  
50,000 GPD  
PHASE I

DEVELOPER 1  
35,000 GPD  
PHASE I

DEVELOPER 2  
10,000 GPD  
PHASE I

PROPOSED FORCEMAIN ROUTE

PROPOSED PUMP STATION

HIGHWAY 11

HIGHWAY 59

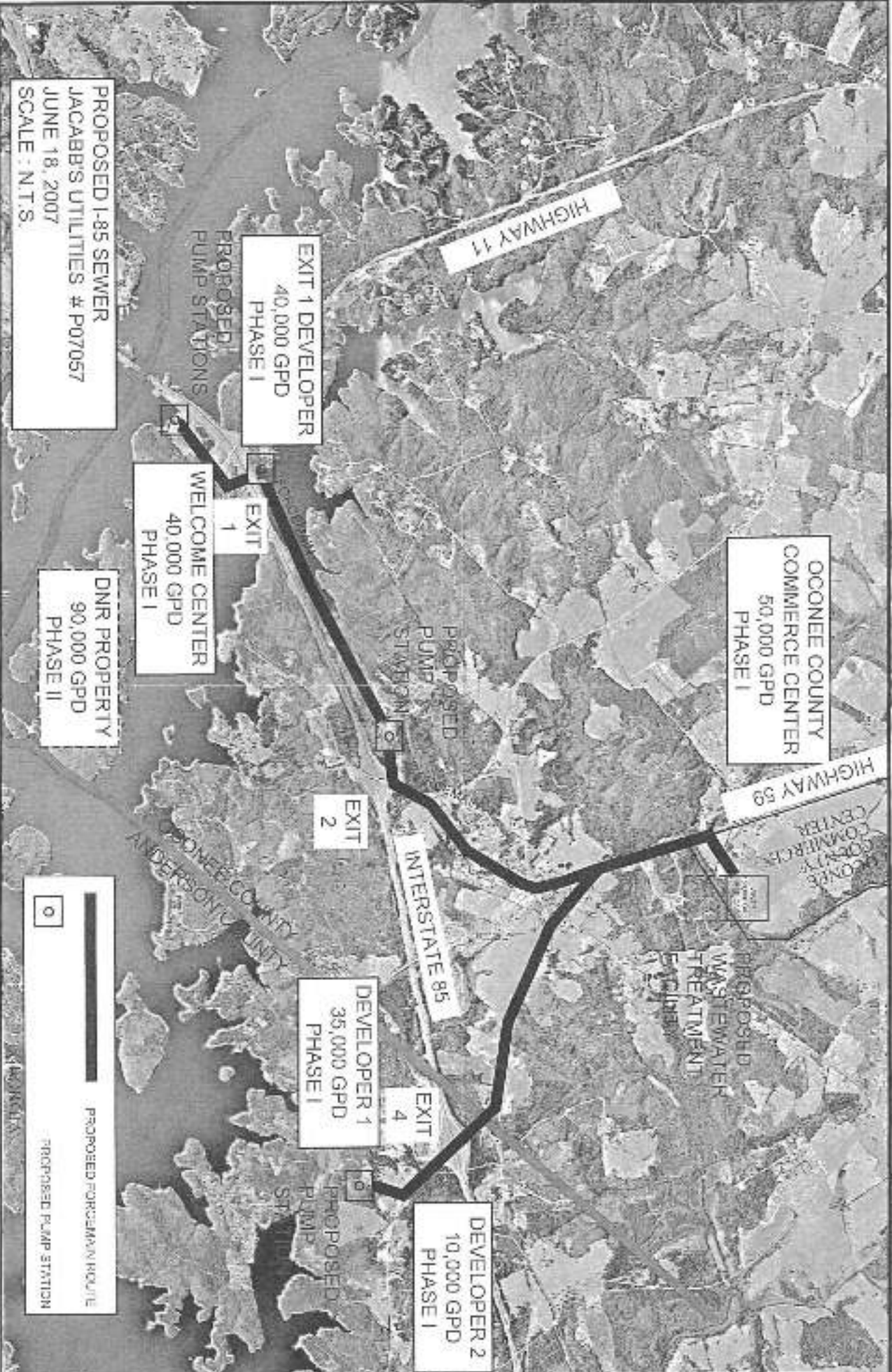
INTERSTATE 85

PROPOSED  
WASTEWATER  
TREATMENT  
FACILITY

OCONEE  
COUNTY  
COMMERCE  
CENTER

OCONEE COUNTY  
ANDERSON COUNTY

GEORGIA



PROPOSED I-85 SEWER  
 JACABB'S UTILITIES # P07057  
 JUNE 18, 2007  
 SCALE - N.T.S.

EXIT 1 DEVELOPER  
 40,000 GPD  
 PHASE I

WELCOME CENTER  
 40,000 GPD  
 PHASE I

DNR PROPERTY  
 90,000 GPD  
 PHASE II

OCONEE COUNTY  
 COMMERCE CENTER  
 50,000 GPD  
 PHASE I

EXIT 2

INTERSTATE 85

DEVELOPER 1  
 35,000 GPD  
 PHASE I

EXIT 4

DEVELOPER 2  
 10,000 GPD  
 PHASE I

PROPOSED  
 WASTEWATER  
 TREATMENT  
 FACILITY

PROPOSED  
 PUMP  
 STATION

PROPOSED FOR-CUM ROUTE  
 PROPOSED PUMP STATION



# Oconee County Sewer Commission

623 Return Church Road • Seneca, South Carolina 29678  
Phone: 864-972-3900 • Fax: 864-972-3917

Oconee County Council  
Oconee County Administrator  
415 S. Pine Street  
Walhalla, S.C. 29691

September 11, 2007

RE: I-85 Sewer Project

Gentlemen,

The Sewer Commission has prepared through our consultant, Bob Fronberger of W.K. Dickson, Inc., an estimate of probable costs for providing sewer services to the I-85 area in Southern Oconee County. This estimate reflects many changes in the original proposal presented to you on August 21, 2007, in that many items have been eliminated which would accommodate future growth in the area and encourage customers to connect to the new system and develop a user base.

The Oconee County Sewer Commission received the Jacaab information in the afternoon of September 5, 2007, which essentially gave O.C.S.C. three working days to refine our proposal, and we are still uncertain as to whether we are comparing apples to apples (so to speak). The information from Jacaab was short on details relative to items included in the pump stations, such as Standby Generators, Telemetry Systems, Odor Control, etc.

The Sewer Commission has been the Public Sewer Entity in Oconee for approximately 30 years and operates a 7.8 MGD treatment facility, 70 miles of trunk lines and force mains, 18 pump stations, and 3 flow monitoring stations. The Commission has support staff in Administrative, Operations, Maintenance, Laboratory, and Pretreatment, with a proven record of efficiency and expertise.

We have made the following assumptions in the development of our proposal:

- A) That investors for the I-85 sewer system will participate with O.C.S.C. and contribute capital funds for the sewer system with O.C.S.C.
- B) The PRT property adjacent to the Welcome Center is included in the pump station capacities in the O.C.S.C. proposal. This development could contribute up to 2.4 million dollars to the initial capital funds if the PRT project materializes. These funds can eliminate the cost difference between the Jacaab and O.C.S.C. proposal.

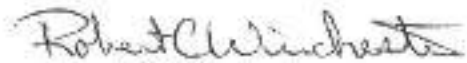
The Commission has worked diligently in the preparation of this information to meet the County's expectations with the information available to us.

Attached find some detailed information which was developed relative to Depreciation and Debt Service Costs if this system was financed with borrowed Capital Funds. Depreciation applies regardless of funding sources. Attached also find a few questions which remain unanswered at this writing relative to rates.

Please note that the O.C.S.C. presentation is an estimate, as is the competing proposal, since it is subject to increase in costs per certain articles in the agreement.

Thank you for your time and consideration.

Sincerely,



Robert C. Winchester  
General Superintendent

RCW:ls

Attachments

Cc: Commission  
Bob Froneberger, W.K. Dickson

## OPERATING COSTS

### **Depreciation**

$\$8,407,400 \div 20 \text{ year} = \$420,370.00/\text{year} @ 100\%$

Reasonable Depreciation  $\$420,370.00 \times 57\% = \$239,611.00/\text{year}$

Calculation - Initially for Depreciation  
Based upon 175,000 gal. committed flow  
365 days/year = 63,875,000 gal/year

Depreciation @ 57% on 63,875,000 gal/year

$\$239,611 \div 63,875 \text{ units} = \$3.75/1000 \text{ gal.}$

### **Debt Service**

Debt Service = Zero if PRT Property develops and assumptions for investors contributions are correct

### **Capital Costs without any contributions of capital**

Financing of Project over 20 years @ 4½%	
\$ 8,407,400.00	Principal
52,061.52	Monthly Payments (240 months)
624,738.23	Annual Principal & Interest (12 months)
\$12,494,754.50	Total Cost Principal & Interest

Debt Service Calculations @ 175,000 GPD  
 $\$624,738.23 \text{ annual payments} \div 63,875 \text{ units} = \$9.78/1000 \text{ gal.}$



**JACAAB PROPOSAL**

QUESTIONS

- Will the SCDOT pay \$5.00/1000 gal. on committed capacity of 40,000 gal/day?
- \$200/day for 30 day/month – \$6,000.00/mo.
- What rate per 1000 gallons will Oconee County pay to Jacaab?
- Will it apply to actual flow or total committed flow of 50,000 gal/day?
- What rate will private S.U.'s pay to Jacaab?
- Will it be based on actual or committed capacity?
- Does the Sewer Users Rate include depreciation?

JACAAB/COUNTY AGREEMENT

**ARTICLE III**

Section I

Project Cost Estimate

\$7,284,000.00

Each S.U. will pay to Jacaab its portion of the cost to complete the project. ( %)

**ARTICLE IV**

Section IV

If Initial Costs Exceed Initial Deposits

If costs exceed – Pre-const. Activities – Initial Deposits

Change Orders – Increase Costs

Option to terminate agreement

Section VII

Final Accounting

Final costs will be computed by Jacaab, including all cost adjustments covered by approved change orders.

S.U.'s may make additional payment above estimated costs.

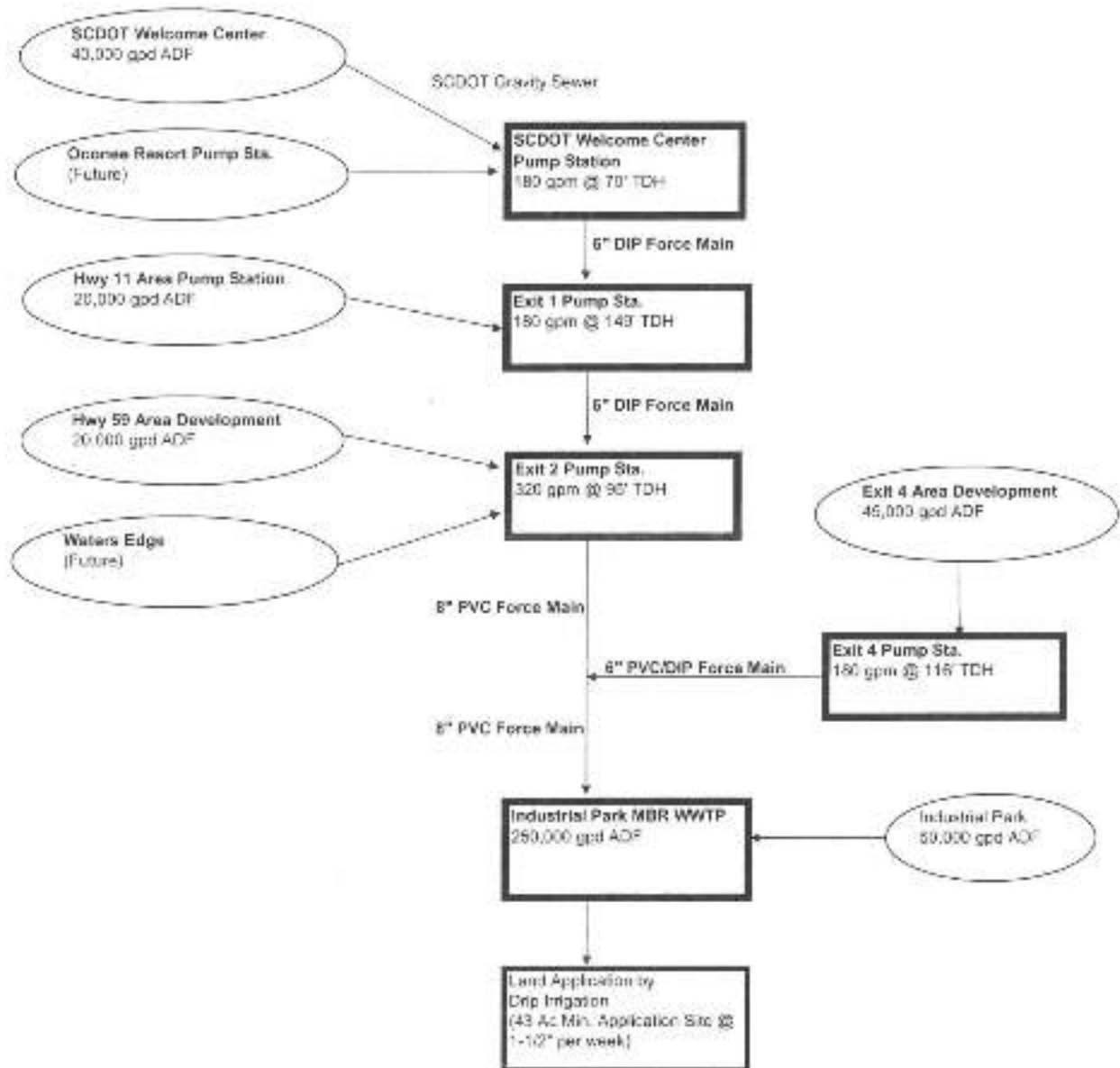
The above articles and sections allow for increases in costs of the project.

**SOUTHERN OCONEE COUNTY REGIONAL  
WASTEWATER TREATMENT PROJECT**

**OCONEE COUNTY COUNCIL PRESENTATION  
SEPTEMBER 11, 2007**

W.K. Dickson & Co., Inc.  
616 Colonnade Drive  
Charlotte, NC 28205  
704-334-5348

**SCHEMATIC DIAGRAM - SOUTHERN OCONEE COUNTY REGIONAL  
CONVEYANCE AND WWTP AT OCONEE COUNTY INDUSTRIAL SITE**

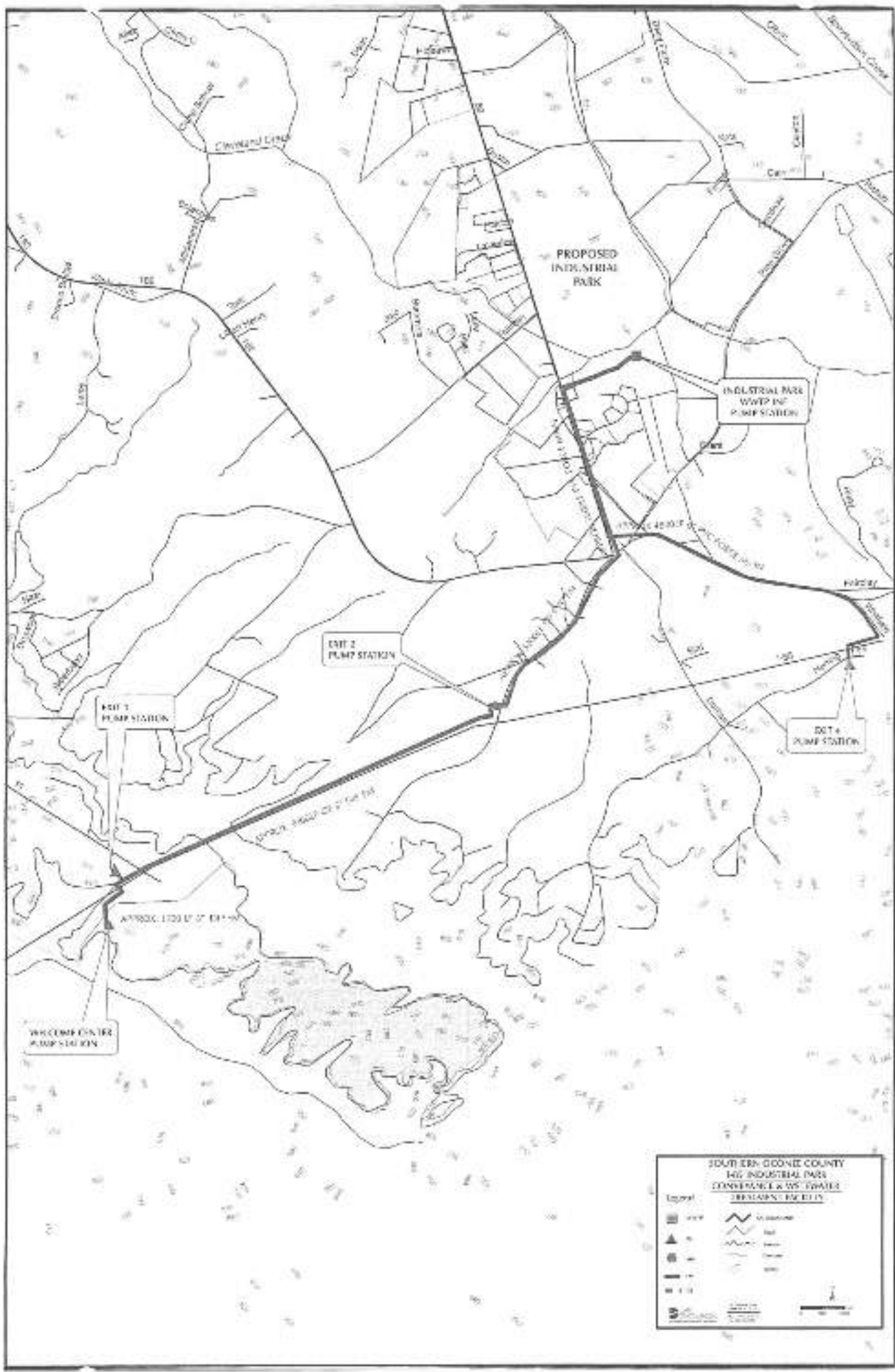


**Conveyance and Regional Treatment at the Oconee County Industrial Park & Effluent Land Application  
Option 1 - Force Main to WWTP Site**

Item Description	Total
<b>Option 1 - Probable Construction Cost:</b>	
Welcome Center Pump Station & Force Main to Exit 1 Pump Station (180 gpm & 6" DIP FM)	\$ 638,700
Exit 1 Pump Station and Force Main to Exit 2 Pump Station (180 gpm & 6" DIP FM)	\$ 856,500
Exit 2 Pump Station and Force Main to Hwy 59/182 Intersection in Fair Play (320 gpm & 8" PVC FM)	\$ 654,400
Force Main from Hwy 59/182 Intersection to WWTP at Industrial Park Site (6" PVC FM)	\$ 288,200
Exit 4 Pump Station and Force Main to Intersection of Hwy 59/182 (180 gpm & 6" DIP/PVC FM)	\$ 641,700
Industrial Park WWTP (250,000 gpd with Tertiary Filtration & UV Disinfection)	\$ 1,938,100
Land Application System Incl. 1.75 MG Effluent Storage Pond and Drip Irrigation System	\$ 1,708,600
<b>Subtotal Probable Construction Cost Conveyance, Treatment &amp; Land Application:</b>	<b>\$ 6,724,200</b>
<b>Engineering Costs</b>	
Design Phase Engineering Allowance @ 10%	\$ 672,400
Construction Administration/Observation Engr. Allowance @ 5%	\$ 336,200
<b>Owner Costs</b>	
Owner Administration Fees @ 2.75%	\$ 184,900
Land for Pump Stations (0.3 Ac x 4 sites @ \$10,000/Ac)	\$ 12,000
Land for Land Application Drip Irrigation System (82 Ac @ \$5825/Ac)	\$ 477,700
<b>Subtotal Engineering &amp; Owner Costs:</b>	<b>\$ 1,683,200</b>
<b>Grand Total Alternative 1 - Phase 1 Cost:</b>	
	<b>\$ 8,407,400</b>

**ASSUMPTIONS:**

1. WWTP will consist of two (2) 125,000 gpd packaged treatment trains in a concrete structure with a surge tanks, anoxic contact zones, aeration tanks, clarifiers and sludge holding tanks. Additional items include influent static screens, tertiary filtration, ultraviolet disinfection, emergency power generator and small plant utility building for site storage.
2. Cost for Industrial Park sewage collection system and pump station is not included in the estimate.
3. Land application system includes 1.75 million gallon (7 day storage) pond with 60 mil HDPE liner and drip irrigation system based upon 1.5 inches application per week on 43 acres. A total application area of 82 acres was included.



**SOUTHERN BOONE COUNTY  
140 INDUSTRIAL PARK  
SEWERAGE & WETLANDS  
DESIGN PLAN**

Legend


Scale: 1" = 100'

North Arrow

## MEMORANDUM

TO: All County Council Members

FROM: Beth Hulse, Clerk to Council

DATE: September 11, 2007

CC: Dale K. Surrett, Administrator

RE: **Public Emails regarding Sewer**

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Dale K. Surrett  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864 718 1023  
Fax: 864 718 1024

E-mail:  
[bhulse@oconesc.com](mailto:bhulse@oconesc.com)

George C. Blanchard  
District I

Thomas S. Crumpton  
District II

Mario Suarez  
District III

Marion E. Lyles, Chair  
District IV

H. Frank Ables, Jr.  
District V

Enclosed please find additional 45 emails received from the public since Friday in regards to the County's proposed sewer project on 185.

Attachments





**Beth Hulse**

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**From:** Bo Horne [c|horne@prohelp.com]  
**Sent:** Monday, September 10, 2007 8:45 AM  
**To:** Carol Baumgarner; Beth Hulse; ocsmanager@bellsouth.net  
**Subject:** Selections from taxpayer comments to the OC Council, Sewer Commission, and State Delegation

Carol: Please forward this message to all four members of the Delegation.  
Beth: Please forward to all Council members.  
Sewer Commission: Please forward to all Commissioners.

These selections are also being released to the press.

Bo Horne

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These selections represent some of the taxpayer messages sent to the Oconee County Council, Sewer Commission, and State Legislative Delegation.

Only individual, personally written comments have been included. Comments based on our provided sample message, or substantially so, were excluded.

A few personal messages from taxpayers to the campaign sponsor, Bo Horne, are included at the end.

Comments have not been edited in any way except to remove identifying information and to improve formatting for readability.

NO COMMENTS HAVE BEEN SENT THAT SUPPORT THE JACABB PROPOSAL.

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It is truly "very disturbing" County Council has gone on this path after all the work put into enacting the Joint Authority Water and Sewer Systems Act this summer.

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My wife and I are residents of Oconee County. We are extremely concerned about the Jacabb proposal. We urge you to cease negotiations with Jacabb and to vote against any plan which does not provide a representative for each of the 3 districts. We have lived in Atlanta, where a private entity almost ruined the public water system. That private entity was ultimately removed and control returned to the Atlanta Water Bureau. You should vote against any plan which transfers the ownership of public water and sewer assets from a public body to a private entity not responsive to all county voters and taxpayers. Thank you.

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Please do not proceed with the plan presented by Jaccab (Goldie) for sewer service. Atlanta tried to off load their water problems by hiring an outside firm and it blew up in their face, they had to cancel the contract, take back providing water services and spent a bunch of taxpayer money in doing so. This sewer contract has been rushed and needs more thorough study and professional input. Sewers should remain a public utility and not sub-contracted to a private company. Please reject the Jaccab

proposal and work with the existing Sewer Commission!

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As a taxpaying citizen, I am VERY concerned about the plans which are in the works to contract with a private engineering firm to build a TAXPAYER-FUNDED facility that will benefit only a very few private investors.

This deal also ignores the authority of the Sewer Authority, which was appointed according to law.

If you even dare to proceed, it will end up costing all Oconee County taxpayers unbelievable legal fees because there is no question that it will be challenged in court.

Do you not have your priorities straight? There are so many other pending issues that we need to deal with. Whatever growth might occur along the 85 corridor will do little to benefit the rest of the county. How about a cost benefit analysis - and I mean the return on this investment to the average taxpayer, not the return on the taxpayers' investment to benefit a few chosen "buddies" or council members.

For once, please listen to your constituents.

-----  
Again you are doing without thinking. You are starting a never ending project to which the county and tax payers will be funding a bottomless pit. We have not seen any commitments with true funding, we have not seen any surety bonds to cover the whole project, the people involved have never committed to anything this big and as we have seen in the past to include even Keowee Key, we have to have multiple owners and investors to make a deal be complete. The people listed on this project do not have the financial means in this time of tight money to secure sufficient funds to complete the project. We the tax payers do not want to foot the bill for this project.

-----  
Please DO NOT support the Jacobb proposal for sewers along I-85 in Oconee County. I am against utilities owned by non-public companies and organizations that are not representative of all county voters. Let the Sewer Commission do it's job by identifying the best way to supply these sewers so that serve the best interests of all Oconee County tax payers. The Jacobb proposal may seem like a good, quick fix for this topic, but it is not. Having private ownership of a public utility will certainly lead to much grief, dissatisfaction and management issues down the road.

Thank you for supporting the interests of ALL Oconee Taxpayers.

-----  
I've been reading background materials on the sewer issue. This issue must be clarified before any vote to proceed is taken. The matter of representation on the sewer authority must be dealt with. There must be voter representation on that authority. There should All sewer assets must be owned by a properly constituted sewer authority. Any other steps taken by vote will only cause the county future legal difficulties. So, stop this process now.

I am adamantly opposed to all of the reckless spending and future liabilities being created by kneejerk decisions.

These reckless actions and subsequent punitive taxation are inexcusable. The people that have helped Oconee County build a workable tax base are now being taxed at a rate that exceeds any measure of economic growth and our taxes are being used for pet projects that are supported by the few not the many.

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The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

I ask each Councilman to: Let the Sewer Commission do its job!

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We do not need to pay any tax dollars to promote the motels and firecracker shops at the interstate which have been a problem locally. The exits need to be cleaned up and made to look good from the public view.

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Please give the Sewer Commission time to devise a reasonable and fair plan, rather than continuing negotiations with JACABS, and please provide fair representation for all Oconee County taxpayers. Please do the right thing, and make the morally correct choice. Thank you so much.

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I have much concern about taxation without representation, and the manner in which the County Council is negotiating with a private firm, after the Governor's veto override by our Representatives to create a Sewer Commission. It appears that the Council has ignored the will of the people and have chosen a path that leads to more lawsuits. The Governor of The State of South Carolina vetoed the Bill to prevent such action as we will have no representative on negotiations with a private business. The whole matter stinks, and it appears that certain people will become very wealthy who live in Fair Play.

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PLEASE PLEASE PLEASE LISTEN TO US TAXPAYERS!!! You've got to start being fair and not denying us representation on things. like the Water and Sewer authority.. Already their fees are far higher than Greenville county!! what will they do next.. and you want the allow them to proceed without hearing from us??? And to allow them to be non responsible to us, the taxpayers and the consumers.. Whose water is it anyway??? And your trying to sell it to a private entity... SHAME SHAME SHAME on you. Surely you can do better than that. Please do not proceed with your Jacobb negotiations... Keep control and ownership, as it is a very valuable commodity and will be a huge loss if you sell it and give away your power and responsibility.

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Please vote NO on the sewer bill and do NOT raise our taxes.

-----  
From what I've read in the paper, this situation needs to be locked into further. It would be completely irresponsible of the County Council to vote on this issue at this time. Look what it will do in the FUTURE, not just now. County Council, from a citizens and a voters point of view, think this thru first.

-----  
Clearly based on past performance, our County Council pays little attention to the concerns of its citizens. While I may be shouting in the dark, I will continue to voice my opinions.

It is apparent that at least one prominent member of the council has a vested personal interest in getting sewer lines by his property as soon as possible, regardless of the impact on county residents. This member should recuse himself from any vote on the matter.

There is an astounding lack of clarity about the impact of the proposed outside contract to build (and I guess, operate?) these facilities. If it is in the best interests of the county to use outside contractors for this job rather than the the new sewer commission as originally planned, there ought to be a competitive bidding process to an RFP with the county setting the parameters and requirements. To blindly jump ahead to a single proposal by an outside entity smacks of favoritism and cronyism. It is a dis-service to the county and its residents.

The council should either proceed as originally planned, or decide to develop an RFP and open it to all qualified bidders.

-----  
If you keep raising taxes on the lake property owners you will kill the development that has provided so much tax revenue. Especially because a lot of the lake development of Lake Koo-wee is fueled by fixed-income retirees who are here because of the tax benefits. If the benefits go away, so will they.

-----  
Please do not approve the Jacobb contract. I hope you understand it is for ALL of Coconee County to have representation on water and sewer issues. Vote against any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

-----  
As Ronald Reagan once said in a debate, "There you go again!". What part of the word NO don't you on the County Council get? George and Mario, I hope you are listening to those who voted for you because the other three members won't be sitting up there in about 15 months. The people of Coconee want fair, open and responsible government not Larry, Darrell and his other brother Darrell running the good ole boy network in the shadows of Stumphouse tunnel. Please listen to the people who pay the bills, stop this spending!

-----  
In 1776 we had a Revolution War in which one of the items we wanted was no taxation with out representattion, and this seems very similar.

----- A few of the notes to Bo -----

It is efforts like this that will make our county a more positive place to live.

Thank you for taking the lead

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I just sent in our message through TARGETOC and have encouraged our friends to do the same today. Thank you for your very comprehensive messages and encouragements! You are being extremely effective in organizing the taxpayers into the loud voice they should be.

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I am in complete agreement with your letter, which appears to be very factual with articles I have read in the Daily Journal. Add my name to your list. I have sent out your letter to friends, that I believe would be in agreement with your informational mission.

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C. J. (Bo) Horne  
418 East Waterside Drive  
Seneca, SC 29672  
(864) 888-2314  
(864) 885-0880 Fax  
cjhorne@prohelp.com

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 9:35 AM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; was@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - We Need Sewer

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** John Morgan  
**Return Email:** shore@trivergent.net

**Area of Concern:** We Need Sewer

**Comments:** Please don't let a few loud voices overcome the benefits for the entire county of extending sewer service. Growth and jobs for our residents and their children are more important in the long run than a little discomfort now. Thank you for being solution oriented.



**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Friday, September 07, 2007 10:30 AM  
**To:** Beth Hulse; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer Negotiations with Jaccab

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Legislative Delegation:** All members receive copies directly.

**From:** Sherry Watson  
**Return Email:** sherry1013@charter.net

**Area of Concern:** Sewer Negotiations with Jaccab

**Comments:** I, as a taxpayer, have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconco County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

I ask each Councilman to:

Let the Sewer Commission do its job!

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse****From:** asp@nelmds.com**Sent:** Friday, September 07, 2007 10:42 AM

**To:** Beth Hulse; ocscmanager@bel.south.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; AgnewP@schouse.org; AlexanderT@schouse.org; KBA@schouse.org; AndersonC@schouse.org; AnthonyM@schouse.org; JCB@schouse.org; BallentineN@schouse.org; BannisterB@schouse.org; LDB@schouse.org; jab@schouse.org; BedingfieldE@schouse.org; KAB@schouse.org; BowenD@schouse.org; WKB@schouse.org; BradyJ@schouse.org; BranhamL@schouse.org; BrantleyC@schouse.org; FB@schouse.org; GB@schouse.org; RLB@schouse.org; HLC@schouse.org; CeipsC@schouse.org; ChalkR@schouse.org; CAC@schouse.org; ClemmonsA@schouse.org; WC@schouse.org; gch@schouse.org; cbc@schouse.org; HWM@schouse.org; WFC@schouse.org; CrawfordK@schouse.org; TMD@schouse.org; GRD@schouse.org; fgd@schouse.org; DuncanJ@schouse.org; TE@schouse.org; MBF@schouse.org; FunderburkL@schouse.org; GambrellM@schouse.org; JNG@schouse.org; GullickC@schouse.org; HagoodB@schouse.org; HaleyN@schouse.org; GLH@schouse.org; HardwickN@schouse.org; HSP@schouse.org; HJU@schouse.org; HartC@schouse.org; HarvinC@schouse.org; GAH@schouse.org; JH@schouse.org; HerbkersmanB@schouse.org; HinsonS@schouse.org; HlottD@schouse.org; HodgesK@schouse.org; LH1@schouse.org; LH@schouse.org; ch@schouse.org; JeffersonJ@schouse.org; DJ@schouse.org; KellyK@schouse.org; KK@schouse.org; KnightP@schouse.org; RWL@schouse.org; HBL@schouse.org; LFL@schouse.org; DAL@schouse.org; LoweP@schouse.org; JL@schouse.org; DJM@schouse.org; MahaffeyJ@schouse.org; WJM@schouse.org; JM1@schouse.org; VOM@schouse.org; MITCHELLH@schouse.org; bam@schouse.org; MossD@schouse.org; MulvaneyM@schouse.org; jmn@schouse.org; JN@schouse.org; DWN@schouse.org; HLO@schouse.org; owensp@schouse.org; JAP@schouse.org; RSP@schouse.org; ORP@schouse.org; PinsonG@schouse.org; PittsT@schouse.org; PittsM@schouse.org; RFR@schouse.org; JTR@schouse.org; WES@schouse.org; WBS@schouse.org; JLS@schouse.org; SellersB@schouse.org; ShoopmanP@schouse.org; JGS@schouse.org; SkeltonBR@schouse.org; DCS@schouse.org; FNS@schouse.org; GMS@schouse.org; SmithG@schouse.org; JS@schouse.org; RepSmith@JamesSmith.org; SPT@schouse.org; SpiresK@schouse.org; StavL@schouse.org; StewartJ@schouse.org; SFT@schouse.org; al@schouse.org; MT@schouse.org; TooleM@schouse.org; UmphlettD@schouse.org; VickT@schouse.org; ViersT@schouse.org; REW@schouse.org; JDW@schouse.org; JSW@schouse.org; WBW@schouse.org; WhitmireW@schouse.org; WilliamsR@schouse.org; WDW@schouse.org; ADY@schouse.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPS@scsenate.org; CLEAR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; itgov@scsenate.org; salemclerk29676@yahoo.com; chall@seneca.sc.us; cityofwaihalla@bel.south.net; dsmith@westminstersc.org; West Union City Hall; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.  
 All South Carolina Representatives.

All South Carolina Senators.

**Salem Town Council:** Please forward this email to all Councilmen and the Mayor.

**Seneca City Council:** Please forward to all Councilmen, the Mayor, and the Administrator.

**Walhalla City Council:** Please forward this email to all Councilmen, the Administrator, and the Mayor.

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Rudolph Carbone  
**Return Email:** rckc91@bellsouth.net  
**Area of Concern:** Sewers

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

**From:** asp@nelmds.com  
**Sent:** Friday, September 07, 2007 12:20 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - SEWERS

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Michael Mowrey  
**Return Email:** mjmowrey@charter.net  
**Area of Concern:** SEWERS

**Comments:** Taxpayers have grave concerns with the Jacobb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacobb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Thanks, Michael J. Mowrey 306 N Beacon Shores Dr Seneca, SC 29672

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Friday, September 07, 2007 2:19 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewer plan

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Virginia Strong-Tidman

**Return Email:** gstidman@bellsouth.net

**Area of Concern:** sewer plan

**Comments:** Please do not proceed with the plan presented by Jaccab (Goldie) for sewer service. Atlanta tried to off load their water problems by hiring an outside firm and it blew up in their face, they had to cancel the contract, take back providing water services and spent a bunch of taxpayer money in doing so. This sewer contract has been rushed and needs more thorough study and professional input. Sewers should remain a public utility and not sub-contracted to a private company. Please reject the Jaccabl proposal and work with the existing Sewer Commission!

**Beth Hulse**

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**From:** Charlie/Florence [cfgarci@bellsouth.net]  
**Sent:** Friday, September 07, 2007 3:18 PM  
**To:** Beth Hulse  
**Subject:** Stop the Jacabb sewer proposal

Mario Suarez,

Please vote against this "private" proposal called for by JACABB. We would like it to be under the Water and Sewer Commission, as it should be.

Thank you,  
Charles Garcia



**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Friday, September 07, 2007 3:25 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schohouse.org; dsmith@westminstersc.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.  
**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Rebecca Ballenger  
**Return Email:** becky\_ballenger@yahoo.com

**Area of Concern:** Sewer

**Comments:** We do not need to pay any tax dollars to promote the motels and firecracker shops at the interstate which have been a problem locally. The exits need to be cleaned up and make to look good from the public view.

You took out our Westminster CPW and are hurting us again with setting up one big authority to control our water. My family paid to put in their own water lines and Pioneer, then Westminster took them over. Everybody on the water lines needs to have say so about rates that are set and the operations. Same thing about sewer. Everybody paying needs to have representation.

Rebecca Ballenger Westminster

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Friday, September 07, 2007 6:18 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Gerald S. Burgette  
**Return Email:** gsburgette@aol.com

**Area of Concern:** sewers

**Comments:** To all concerned:

Please DO NOT support the Jacabb proposal for sewers along I-85 in Oconee County. I am against utilities owned by non-public companies and organizations that are not representative of all county voters. Let the Sewer Commission do it's job by identifying the best way to supply these sewers so that serve the best interests of all Oconee County tax payers. The Jacabb proposal may seem like a good, quick fix for this topic, but it is not. Having private ownership of a public utility will certainly lead to much grief, dissatisfaction and management issues down the road.

Thank you for supporting the interests of ALL Oconee Taxpayers.

Sincerely,

Gerald S. Burgette

**Beth Hulse****From:** asp@netmcs.com**Sent:** Saturday, September 08, 2007 10:09 AM

**To:** Beth Hulse; ocscmanager@bellsouth.net; AgnewP@schoouse.org; AlexanderT@schoouse.org; KBA@schoouse.org; AndersonC@schoouse.org; AnthonyM@schoouse.org; JCB@schoouse.org; BallentineN@schoouse.org; BannisterB@schoouse.org; LDB@schoouse.org; jab@schoouse.org; BedingfieldE@schoouse.org; KAB@schoouse.org; BowenD@schoouse.org; WKB@schoouse.org; BradyJ@schoouse.org; BranhamL@schoouse.org; BrantleyC@schoouse.org; FB@schoouse.org; GB@schoouse.org; RLB@schoouse.org; HLC@schoouse.org; CeipsC@schoouse.org; ChaikR@schoouse.org; CAC@schoouse.org; ClemmonsA@schoouse.org; WFC@schoouse.org; gch@schoouse.org; cbc@schoouse.org; HWM@schoouse.org; WFC@schoouse.org; CrawfordK@schoouse.org; TMD@schoouse.org; GRD@schoouse.org; tgd@schoouse.org; DuncanJ@schoouse.org; TE@schoouse.org; MBF@schoouse.org; FunderburkL@schoouse.org; GambrellM@schoouse.org; JNG@schoouse.org; GullickC@schoouse.org; HagoodB@schoouse.org; HaleyN@schoouse.org; GLH@schoouse.org; HardwickN@schoouse.org; HSP@schoouse.org; HJU@schoouse.org; HartC@schoouse.org; HarvinC@schoouse.org; GAH@schoouse.org; JH@schoouse.org; HerbkersmanB@schoouse.org; HinsonS@schoouse.org; HlotID@schoouse.org; HodgesK@schoouse.org; LH1@schoouse.org; LH@schoouse.org; ch@schoouse.org; JeffersonJ@schoouse.org; DJ@schoouse.org; KellyK@schoouse.org; KK@schoouse.org; KnightP@schoouse.org; RWL@schoouse.org; HBL@schoouse.org; LFL@schoouse.org; DAL@schoouse.org; LoweP@schoouse.org; JL@schoouse.org; DJM@schoouse.org; MahaffeyJ@schoouse.org; WJM@schoouse.org; JM1@schoouse.org; VOM@schoouse.org; MITCHELLH@schoouse.org; bam@schoouse.org; MossD@schoouse.org; MulvaneyM@schoouse.org; jmn@schoouse.org; JN@schoouse.org; DWN@schoouse.org; HLO@schoouse.org; owensp@schoouse.org; JAP@schoouse.org; RSP@schoouse.org; ORP@schoouse.org; PinsonG@schoouse.org; PittsT@schoouse.org; PittsM@schoouse.org; RFR@schoouse.org; JTR@schoouse.org; WES@schoouse.org; WBS@schoouse.org; JLS@schoouse.org; SellersB@schoouse.org; ShoopmanP@schoouse.org; JGS@schoouse.org; SkeltonBR@schoouse.org; DCS@schoouse.org; FNS@schoouse.org; GMS@schoouse.org; SmithG@schoouse.org; JS@schoouse.org; RepSmith@JamesSmith.org; SPT@schoouse.org; SpirasK@schoouse.org; StavL@schoouse.org; StewartJ@schoouse.org; SFT@schoouse.org; at@schoouse.org; MT@schoouse.org; TooleM@schoouse.org; UmphlettD@schoouse.org; VickT@schoouse.org; ViersT@schoouse.org; REW@schoouse.org; JDW@schoouse.org; JSW@schoouse.org; WBW@schoouse.org; WhitmireW@schoouse.org; WilliamsR@schoouse.org; WDW@schoouse.org; ADY@schoouse.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - Jacobb proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
 All South Carolina Representatives.  
 All South Carolina Senators.

**From:** Myra Ketterman  
**Return** MNK4KFA@aol.com

**Email:**

**Area of**     Jacabb proposal

**Concern:**

**Comments:** I ask each Councilman to: - CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users. - VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population! - VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 10:23 AM  
**To:** Beth Hulse; AgnewP@schoouse.org; AlexanderT@schoouse.org; KBA@schoouse.org; AndersonC@schoouse.org; AnthonyM@schoouse.org; JCB@schoouse.org; BallentineN@schoouse.org; BannisterB@schoouse.org; LDB@schoouse.org; jab@schoouse.org; BedingfieldE@schoouse.org; KAB@schoouse.org; BowenD@schoouse.org; WKB@schoouse.org; BradyJ@schoouse.org; BranhamL@schoouse.org; BrantleyC@schoouse.org; FB@schoouse.org; GB@schoouse.org; RLB@schoouse.org; HLC@schoouse.org; CeipsC@schoouse.org; ChalkR@schoouse.org; CAC@schoouse.org; ClemmonsA@schoouse.org; WC@schoouse.org; gch@schoouse.org; cbc@schoouse.org; HWM@schoouse.org; WFC@schoouse.org; CrawfordK@schoouse.org; TMD@schoouse.org; GRD@schoouse.org; fgd@schoouse.org; DuncanJ@schoouse.org; TE@schoouse.org; MBF@schoouse.org; FunderburkL@schoouse.org; GambrellM@schoouse.org; JNG@schoouse.org; GullickC@schoouse.org; HagoodB@schoouse.org; HaleyN@schoouse.org; GLH@schoouse.org; HardwickN@schoouse.org; HSP@schoouse.org; HJU@schoouse.org; HartC@schoouse.org; HarvinC@schoouse.org; GAH@schoouse.org; JH@schoouse.org; HerbkersmanB@schoouse.org; HinsonS@schoouse.org; HiottD@schoouse.org; HodgesK@schoouse.org; LH1@schoouse.org; LH@schoouse.org; ch@schoouse.org; JeffersonJ@schoouse.org; DJ@schoouse.org; KellyK@schoouse.org; KK@schoouse.org; KnightP@schoouse.org; RWL@schoouse.org; HBL@schoouse.org; LFL@schoouse.org; DAL@schoouse.org; LoweP@schoouse.org; JL@schoouse.org; DJM@schoouse.org; MahaffeyJ@schoouse.org; WJM@schoouse.org; JM1@schoouse.org; VOM@schoouse.org; MITCHELLH@schoouse.org; bam@schoouse.org; MossD@schoouse.org; MulvaneyM@schoouse.org; jmn@schoouse.org; JN@schoouse.org; DWN@schoouse.org; HLO@schoouse.org; owensp@schoouse.org; JAP@schoouse.org; RSP@schoouse.org; ORP@schoouse.org; PinsonG@schoouse.org; PittsT@schoouse.org; PittsM@schoouse.org; RFR@schoouse.org; JTR@schoouse.org; WES@schoouse.org; WBS@schoouse.org; JLS@schoouse.org; SellersB@schoouse.org; ShoopmanP@schoouse.org; JGS@schoouse.org; SkeltonBR@schoouse.org; DCS@schoouse.org; FNS@schoouse.org; GMS@schoouse.org; SmithG@schoouse.org; JS@schoouse.org; RepSmith@JamesSmith.org; SPT@schoouse.org; SpiresK@schoouse.org; StavL@schoouse.org; StewartJ@schoouse.org; SFT@schoouse.org; at@schoouse.org; MT@schoouse.org; TooleM@schoouse.org; UmphlettD@schoouse.org; VickT@schoouse.org; ViersT@schoouse.org; REW@schoouse.org; JDW@schoouse.org; JSW@schoouse.org; WBW@schoouse.org; WhitmireW@schoouse.org; WilliamsR@schoouse.org; WDW@schoouse.org; ADY@schoouse.org; council@targetloc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator. All South Carolina Representatives.

**From:** Sharon Hamilton  
**Return Email:** keoweesharon@bellsouth.net

**Area of Concern:** Sewers

**Comments:** Dear Council Members and Representatives, As a taxpaying citizen, I am VERY concerned about the plans which are in the works to contract with a private engineering firm to build a TAXPAYER-FUNDED facility that will benefit only a very few private investors.

This deal also ignores the authority of the Sewer Authority, which was appointed according to law.

If you even dare to proceed, it will end up costing all Oconee County taxpayers unbelievable legal fees because there is no question that it will be challenged in court.

Do you not have your priorities straight? There are so many other pending issues that we need to deal with. Whatever growth might occur along the 85 corridor will do little to benefit the rest of the county. How about a cost benefit analysis - and I mean the return on this investment to the average taxpayer, not the return on the taxpayers' investment to benefit a few chosen "buddies" or council members.

For once, please listen to your constituents. Thank you, Sharon Hamilton

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 10:32 AM  
**To:** Beth Hulse; oocsmanger@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Roger & Janet L. Boulis  
**Return Email:** roger.boulis@greenbrierinteriors.com  
**Area of Concern:** Sewers

**Comments:** We as taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today. It is truly "very disturbing" County Council has gone on this path after all the work put into enacting the Joint Authority Water and Sewer Systems Act this summer.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.



**Beth Hulse****From:** asp@netmcs.com**Sent:** Saturday, September 08, 2007 10:50 AM

**To:** Beth Hulse; ccscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HartC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkersmanB@schoose.org; HinsonS@schoose.org; HiottD@schoose.org; HodgasK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; al@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; salemclerk29676@yahoo.com; chall@seneca.sc.us; cityofwaihalla@bellsouth.net; csmith@westminstersc.org; West Union City Hall; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
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**Walhalla City Council:** Please forward this email to all Councilmen, the Administrator, and the Mayor.

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Ann Marshall  
**Return Email:** shalla@bellsouth.net

**Area of Concern:** sewers

**Comments:** Taxpayers have grave concerns with the Jacobb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacobb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

**From:** asp@netmds.com

**Sent:** Saturday, September 08, 2007 11:23 AM

**To:** Beth Hulse; ccscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HartC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerokersmanB@schoose.org; HinsonS@schoose.org; HiottD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; at@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPS@scsenate.org; CLEAR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; council@targetoc.org

**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer Project At lower end of the county

**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.

**Legislative Delegation:** All members receive copies directly.  
All South Carolina Representatives.  
All South Carolina Senators.

**From:** Gwen Fowler  
**Return Email:** gwen@gfowler.com

**Area of Concern:** Sewer Project At lower end of the county

**Comments:** Dear Sirs, Again you are doing without thinking. You are starting a never ending project to which the county and tax payers will be funding a bottomless pit. We have not seen any commitments with true funding, we have not seen any surety bonds to cover the whole project, the people involved have never committed to anything this big and as we have seen in the past to include even Keowee Key, we have to have multiple owners and investors to make a deal be complete. The people listed on this project do not have the financial means in this time of tight money to secure sufficient funds to complete the project. We the tax payers do not want to foot the bill for this project. Gwen Fowler

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 11:36 AM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - jacabb

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.

**From:** Nancy and Tom Smolen  
**Return Email:** oppenheimerart@bellsouth.net

**Area of Concern:** jacabb

**Comments:** Please give the Sewer Commission time to devise a reasonable and fair plan, rather than continuing negotiations with JACABB, and please provide fair representation for all Oconee County taxpayers. Please do the right thing, and make the morally correct choice. Thank you so much. Tom and Nancy Smolen



**Beth Hulse**

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**From:** asp@netmds.com**Sent:** Saturday, September 08, 2007 12:19 PM

**To:** Beth Hulse; ccscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrelM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HartC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkersmanB@schoose.org; HinsonS@schoose.org; HiottD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; al@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; salemclerk29676@yahoo.com; chall@seneca.sc.us; cityofwalhalla@bellsouth.net; dsmith@westminstersc.org; West Union City Hall; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
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**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** James R. Sloan  
**Return Email:** rrsloan@bellsouth.net

**Area of Concern:** sewers

**Comments:** I have much concern about taxation without representation, and the manner in which the County Council is negotiating with a private firm, after the Governor's veto override by our Representatives to create a Sewer Commission. It appears that the Council has ignored the will of the people and have chosen a path that leads to more lawsuits. The Governor of The State of South Carolina vetoed the Bill to prevent such action as we will have no representative on negotiations with a private business. The whole matter stinks, and it appears that certain people will become very wealthy who live in Fair Play.



**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 1:30 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer, Reprerensetation , No to JACABB  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Jane&Terry O'Leary  
**Return Email:** janelinker@hotmail.com

**Area of Concern:** Sewer, Reprerensetation , No to JACABB

**Comments:** PLEASE PLEASE PLEASE LISTEN TO US TAXPAYERS>>>> You've got to start being fair and not dencying us representation on things. like the Water and Sewer authority.. Already their fecs are far higher than Greenville county!! what will they do next.. and you want the allow then to proceed without hearing from us??? And to allow them to be non responsible to us, the taxpayers and the consumers.. Whose water is it anyway??? And your trying to sell it to a private entity... SHAME SHAME SHAME on you. Surely you can do better than that. Please do not proceed with your Jacabb negotiations... Keep control and ownership, as it is a very valuable commodity and will be a huge loss if you sell it and give away your power and responsibility. I have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of rcorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

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- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

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**From:** asp@netmcs.com  
**Sent:** Saturday, September 08, 2007 3:09 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Cooley and Connie Howarth  
**Return Email:** cls@woh.rr.com  
**Area of Concern:** sewers  
**Comments:** Please vote NO on the sewer bill and do NOT raise our taxes

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 3:14 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Lois Collins  
**Return Email:** lois130@mindspring.com

**Area of Concern:** sewers

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

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**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 3:20 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Jacabb!!!!

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.

**From:** Sharon Becker  
**Return Email:** sharonb@nctv.com

**Area of Concern:** Jacabb!!!!

**Comments:** From what I've read in the paper, this situation needs to be looked into further. It would be completely irresponsible of the County Council to vote on this issue at this time. Look what it will do in the FUTURE, not just now. County Council, from a citizens and a voters point of view, think this thru first. Thanks, Sharon B.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 3:41 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer line

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** J. Ed Little  
**Return Email:** ayed1@bellsouth.net  
**Area of Concern:** Sewer line

**Comments:** Clearly based on past performance, our County Council pays little attention to the concerns of its citizens. While I may be shouting in the dark, I will continue to voice my opinions. It is apparent that at least one prominent member of the council has a vested personal interest in getting sewer lines by his property as soon as possible, regardless of the impact on county residents. This member should recuse himself from any vote on the matter. There is an astounding lack of clarity about the impact of the proposed outside contract to build (and I guess, operate?) these facilities. If it is in the best interests of the county to use outside contractors for this job rather than the the new sewer commission as originally planned, there ought to be a competitive bidding process to an RFP with the county setting the parameters and requirements. To blindly jump ahead to a single proposal by an outside entity smacks of favoritism and cronyism. It is a dis-service to the county and its residents. The council should either proceed as originally planned, or decide to develop an RFP and open it to all qualified bidders. Sincerely Ed Little

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 8:10 PM  
**To:** Beth Hulse; ocsmanage@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schaouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Roger and Diane Thomas  
**Return Email:** rbtflishing@aol.com

**Area of Concern:** Sewers

**Comments:** We as taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.



**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 9:49 PM  
**To:** Beth Hulse; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Legislative Delegation:** All members receive copies directly.

**From:** Frances Medlin  
**Return Email:** fmedlin@innova.net

**Area of Concern:** sewers

**Comments:** Please do not approve the Jacabb contract. I hope you understand it is for ALL of Oconee County to have representation on water and sewer issues. Vote against any plan where all public water and sewer assests are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

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**From:** esp@netmds.com**Sent:** Sunday, September 09, 2007 8:27 AM**To:** Beth Hulse; ocsomanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org**Subject:** Concerns from an Oconee County taxpayer and voter - sewers/Jacabb Plan

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Michael P McCalister  
**Return Email:** justmike7@bellsouth.net

**Area of Concern:** sewers/Jacabb Plan

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

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**From:** asp@netmds.com**Sent:** Sunday, September 09, 2007 9:11 AM**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org**Subject:** Concerns from an Oconee County taxpayer and voter - Jacobb Proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Patrick and Jo Ann Iafigliola**Return Email:** patiafi@charter.net**Area of Concern:** Jacobb Proposal

**Comments:** Taxpayers have grave concerns with the Jacobb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today. The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself. We ask each Councilman to - CEASE NEGOTIATIONS with Jacobb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users - VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population. - VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers. Regards, Patrick and Jo Ann Iafigliola

**Beth Hulse**

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**From:** asp@netmds.com

**Sent:** Sunday, September 09, 2007 9:51 AM

**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@scnhouse.org; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - Spending and Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** RL Hamilton

**Return Email:** Grampahamo@aol.com

**Area of Concern:** Spending and Sewers

**Comments:** As Ronald Reagan once said in a debate, "There you go again!". What part of the word NO don't you on the County Council get? George and Mario, I hope you are listening to those who voted for you because the other three members won't be sitting up there in about 15 months. The people of Oconee want fair, open and responsible government not Larry, Darrell and his other brother Darrell running the good ole boy network in the shadows of Stumphouse tunnel. Please listen to the people who pay the bills, stop this spending! RL Hamilton

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Sunday, September 09, 2007 3:43 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - public water and sewer

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.

**From:** marian scovil  
**Return Email:** ALIYAH\_SHTALOM@YAHOO.COM

**Area of Concern:** public water and sewer

**Comments:** > We ask each Councilman to:

>> - CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission > reasonable time for creating a comprehensive plan for sewer > service along I-85, one with adequate protections for both > taxpayers and system users.

>> - VOTE AGAINST any plan for the Water and Sewer Authority which > does not provide FAIR representation for county taxpayers. A > minimum of FIVE County representatives, one for each district > and appointed by the Council, is essential for preventing > total disenfranchisement of 80% of the County's population.

>> - VOTE AGAINST any plan where all public water and sewer assets > are not fully OWNED BY a public body responsive to ALL County > voters and taxpayers.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Sunday, September 09, 2007 4:16 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Jacabb Proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Bruno Jakob  
**Return Email:** bbokaj@bellsouth.net  
**Area of Concern:** Jacabb Proposal  
**Comments:** I ask each Councilman to:

>> - CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission > reasonable time for creating a comprehensive plan for sewer > service along I-85, one with adequate protections for both > taxpayers and system users.

>> - VOTE AGAINST any plan for the Water and Sewer Authority which > does not provide FAIR representation for county taxpayers. A > minimum of FIVE County representatives, one for each district > and appointed by the Council, is essential for preventing > total disenfranchisement of 80% of the County's population.

>> - VOTE AGAINST any plan where all public water and sewer assets > are not fully OWNED BY a public body responsive to ALL County > voters and taxpayers.

In 1776 we had a Revolution War in which one of the items we wanted was nio taxation with out representation, and this seems very similar.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Sunday, September 09, 2007 6:10 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; was@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers and Water

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Twila & Barry Cook  
**Return Email:** cookgb@bellsouth.net

**Area of Concern:** Sewers and Water

**Comments:** We have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED or CONTROLLED BY a public body responsive to ALL County voters and taxpayers.



**Beth Hulse****From:** asp@netmds.com**Sent:** Monday, September 10, 2007 6:45 AM

**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CelpsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HartC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkersmanB@schoose.org; HinsonS@schoose.org; HiattD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; at@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; se@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; dsmith@westminstersc.org; council@targetoc.org

**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers, Taxes, Growth

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.  
 All South Carolina Representatives.  
 All South Carolina Senators.

9/10/2007

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**From:** J. Charles Gray  
**Return Email:** amci@infionline.net

**Area of Concern:** Sewers, Taxes, Growth

**Comments:** The Public Water and Sewer Systems should be Operated and Managed by a public body, as it has been for years, and who are responsible to the VOTERS for properly performing this task.

We do not need for these Systems to be Owned and managed by ANY Private Company, who is not responsible to the public for anything!!

As for Taxes in Oconee County--Enough is Enough --WE have told you about 4 times no new sales taxes. Last year we had a large ASSESSMENT increase on our property and now you want to raise the millage.

Give us a breather!!!!

It is about time that all elected government officials ,STOP, and start listening to the public.

We elected you to manage our government, not to be our " KING" or "GOD".

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 8:20 AM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - No Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Steve and Jean Chase

**Return Email:** chasers03@bellsouth.net

**Area of Concern:** No Sewers

**Comments:** Jean and I have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

Steve & Jean Chase ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Steve and Jean Chase

**Beth Hulse**

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**From:** Dennis and Margaret [keowee109@bellsouth.net]  
**Sent:** Sunday, September 09, 2007 7:03 PM  
**To:** Beth Hulse  
**Subject:** Sewer Bids

What has occurred with the commercial bid by Jacabb is against everything the voters of Oconee County want from their government. It smells.

As one of your constituents, I strongly urge that you to vote against this proposal. This County Council has very little credibility. A vote for Jacabb will eliminate any credibility you may have remaining.

Dennis Barre  
109 N. Harbour Dr.  
Seneca, SC 29672

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 8:48 AM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - taxes and sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Kathy Linden  
**Return Email:** linden\_44@yahoo.com

**Area of Concern:** taxes and sewers

**Comments:** I really hope that you will be careful about spending money for sewers. We already pay our sewer bill and our taxes and it is not fair to make us pay for someone else's sewer.

If you think that sewer is going to bring jobs there should be enough money coming from that business to pay for sewer and you don't need to make me pay again. Kathy L.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 6:27 PM  
**To:** Beth Hulse; ainabinet@oconee.k12.sc.us; dmccormick@oconee.k12.sc.us;  
mlucas@oconee.k12.sc.us; schbrd@oconee.k12.sc.us; hmays@oconee.k12.sc.us;  
kposton@oconee.k12.sc.us; jerylee@oconee.k12.sc.us; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - property taxes

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**School Board:** Please forward this email to Mr. Hamilton. Others receive copies directly.

**From:** Walter Knoechel  
**Return:** knoechel@comcast.net  
**Email:**  
**Area of Concern:** property taxes

**Comments:** If you keep raising taxes on the lake property owners you will kill the development that has provided so much tax revenue. Especially because a lot of the lake development of Lake Keowee is fueled by fixed-income retirees who are here because of the tax benefits. If the benefits go away, so will they.

**Beth Hulse**

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**From:** Steve & Jean Chase [chasers03@bellsouth.net]  
**Sent:** Monday, September 10, 2007 8:39 AM  
**To:** Beth Hulse; WES@scstatehouse.net; ocscmanager@bellsouth.net; bowend@schouse.org; whitmirew@scstatehouse.net; sge@scsenate.org; Bo Horne  
**Subject:** Please NO Sales Tax

The Oconee County Infrastructure Commission has asked the Council to place a sales tax referendum on the 2008 ballot, for the THIRD time in just FOUR years. How many times do we have to say NO?,<p>

"Stop the Sales Tax, NOW!"<p>

Please forward this to your partners in krime

Steve & Jean Chase



**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 8:13 AM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Ocoee County taxpayer and voter - Sales Tax

**For:** **County Council;** Please forward this email to all Councilmen and the Administrator.  
**From:** Bo Home  
**Return Email:** cjhome@prohelp.com  
**Area of Concern:** Sales Tax  
**Comments:** Stop the sales tax, now. Bo Home

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Saturday, September 08, 2007 8:13 PM  
**To:** Beth Hulse; ocsrmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitnirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Taxes

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Roger and Diane Thomas  
**Return Email:** rbfishing@aol.com  
**Area of Concern:** Taxes  
**Comments:** "Stop the Sales Tax, NOW!"

**Beth Hulse**

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**From:** asp@netbnds.com  
**Sent:** Saturday, September 08, 2007 10:37 AM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Roger & Janet L. Boulis  
**Return Email:** roger.boulis@greenbrierinteriors.com  
**Area of Concern:** Sewers  
**Comments:** STOP THE SALES TAX, NOW!

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 10:17 AM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schohouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Jacabb Plan  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Bruce D. Woods  
**Return Email:** webdw@innova.net

**Area of Concern:** Jacabb Plan

**Comments:** There are four things that need to be addressed per some of the sewer and water proposals being discussed [and perhaps being negotiated]:

- 1) It is very doubtful that the typical Oconee County resident or homeowner knows what is involved with the various sewer and water proposals that have been discussed. Until there is a thorough public airing of all the issues including the near term pros/cons as well as the less predictable long term issues including ownership, control and tax payer liabilities, any commitments by any governing authority are extremely premature. Despite efforts by the Seneca Daily Journal to report on these activities, there have been secret meetings and plans developed that has not been shared in public forums. And, the Daily Journal is not read by many residents.
- 2) Whenever taxpayer funds are being used for utilities, authorities, etc., it is irresponsible for ownership or final decision making authority to be ceded to private contractors. If a private contractor wants to gain the authority for a public project that it will fully fund, that's a different scenario - but apparently not one being discussed.
- 3) If governmental authorities choose to deplete the resources of Oconee County by selling water to Georgia [for instance] they are putting the future of Oconee County at risk. There will never be enough legal funds available to fight Georgia or Atlanta several years downstream should Oconee County wish to reduce or quit water sales to them; they will consider water from SC as a "right" and be willing to use any legal manuevers available to insure that the water supply is uninterrupted. Getting into a water selling arrangement with them would truly be a "deal with the devil" that, despite future needs in our state or county, would be impossible to get out of.
- 4) If the impact of any sewer or water authority is county-wide, there needs to be full county wide representation on any governance board. Any such "deals" cannot be made w/o full public knowledge and acceptance and follow-on governance by a fully representative body. Governing bodies are supposed to be servants of the public - not shepherders! This kind of "we know best" and "more taxes are good" mentality has got to end.

**Beth Hulse**

**From:** Marcia Spaeth [retired58@bellsouth.net]  
**Sent:** Monday, September 10, 2007 10:31 AM  
**To:** bhulse@oconeesc.com  
**Subject:** For George Blanchard

Dear Mr. Blanchard */all*

Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided,

violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County.

All assets for which any public money is spent to provide public sewer or water service should be **owned by a**

public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides **no** representation for County voters

and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization

violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

◆ **Cease negotiations** with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

◆ **Vote against** any plan for the Water and Sewer Authority which does not provide **fair** representation for county taxpayers. A minimum of **five** County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

◆ **Vote against** any plan where all public water and sewer assets are not fully **owned by** a public body responsive to **all** County voters and taxpayers.

9/10/2007

Thank you for your help in this urgent matter.

Sincerely,

Marcia Spaeth

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 11:13 AM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetloc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer System

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Stephen Kaminski  
**Return Email:** kaminskif@bellsouth.net  
**Area of Concern:** Sewer System

**Comments:** Dear Representatives: I want you to know I am 100% AGAINST the Jacabb proposal. This is a horrible one-sided arrangement and it violates existing agreements with the Sewer Commission. This would only serve to create massive future liabilities for the residents of our County. Any public money spent to provide public sewers or water services should be owned by a public body, preferably the Oconee County Sewer Commission. This is NOT what is being attempted. The plan to restructure the Sewer Commission into an Authority provides no representation for County voters or those taxpayers residing outside city limits. Governor Sanford has already stated; the entire plan of reorganization VIOLATES the principles of Home Rule so frequently emphasized by the Council itself. Please, STOP all negotiations with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85. One that will give adequate protection for both the taxpayers and system users. VOTE AGAINST any plans for the Water and Sewer Authority which does not provide fair representation for county taxpayers. A minimum of 5 County Rep's, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population. VOTE AGAINST any plan where all public water and sewer assets are not fully owned by a public body responsive to all County voters and taxpayers. Thank you, in advance, for your time and consideration.



**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 11:12 AM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer System

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Francine Kaminski  
**Return Email:** rubyandchescy@yahoo.com  
**Area of Concern:** Sewer System

**Comments:** Dear Representatives: I want you to know I am 100% AGAINST the Jacabb proposal. This is a horrible one-sided arrangement and it violates existing agreements with the Sewer Commission. This would only serve to create massive future liabilities for the residents of our County. Any public money spent to provide public sewers or water services should be owned by a public body, preferably the Oconee County Sewer Commission. This is NOT what is being attempted. The plan to restructure the Sewer Commission into an Authority provides no representation for County voters or those taxpayers residing outside city limits. Governor Sanford has already stated; the entire plan of reorganization VIOLATES the principles of Home Rule so frequently emphasized by the Council itself. Please, STOP all negotiations with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85. One that will give adequate protection for both the taxpayers and system users. VOTE AGAINST any plans for the Water and Sewer Authority which does not provide fair representation for county taxpayers. A minimum of 5 County Rep's, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population. VOTE AGAINST any plan where all public water and sewer assets are not fully owned by a public body responsive to all County voters and taxpayers. Thank you, in advance, for your time and consideration.

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 3:05 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; chall@seneca.sc.us; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Taxes, Sewers, Growth

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.  
**Seneca City Council:** Please forward to all Councilmen, the Mayor, and the Administrator.

**From:** Betty Pickelsimer  
**Return Email:** bettypick451@yahoo.com

**Area of Concern:** Taxes, Sewers, Growth

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Monday, September 10, 2007 4:28 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sales tax

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**From:** Ronald Osburn  
**Return Email:** ozbrn@bellsouth.net  
**Area of Concern:** sales tax  
**Comments:** NO NEW SALES TAX.

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Tuesday, September 11, 2007 10:06 AM  
**To:** Beth Hulse; ainabinet@oconee.k12.sc.us; dmccornick@oconee.k12.sc.us; mlucas@oconee.k12.sc.us; schbrd@oconee.k12.sc.us; hmays@oconee.k12.sc.us; kposton@oconee.k12.sc.us; jerylee@oconee.k12.sc.us; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewers, taxes  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**School Board:** Please forward this email to Mr. Hamilton. Others receive copies directly.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Linda Duffy  
**Return Email:** duffylinda@mindspring.com  
**Area of Concern:** Sewers, taxes

**Comments:** We moved to South Carolina for the beauty and simplicity of the area. We have since found that there are no zoning laws, anyone with any business interest or money is very capable of making things happen for their own interests.

We do agree with the following that states the case very explicitly. Please listen to your taxpayers. Our taxes doubled last year and we don't need another 'entity' billing us for services that serve their own personal interests:

Taxpayers have grave concerns with the Jacabb proposal. It sets a > terrible precedent, is horribly one-sided, violates existing > agreements with the Sewer Commission, and creates massive future > liabilities for the County. All assets for which any public money > is spent to provide public sewer or water service should be OWNED BY > a public body, preferably the Oconee County Sewer Commission as it > exists today.

>> The plan for restructuring the Sewer Commission into an Authority > provides NO representation for County voters and taxpayers > residing outside city limits. As emphasized by Governor Sanford, > the entire plan of reorganization violates the same principles of > Home Rule so frequently emphasized by the Council itself.

>> We ask each Councilman to:

>> - CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission > reasonable time for creating a comprehensive plan for sewer > service along I-85, one with adequate protections for both > taxpayers and system users.

>> - VOTE AGAINST any plan for the Water and Sewer Authority which > does not provide FAIR representation for county taxpayers. A > minimum of FIVE County

representatives, one for each district > and appointed by the Council, is essential for preventing > total disenfranchisement of 80% of the County's population.

>> - VOTE AGAINST any plan where all public water and sewer assets > are not fully OWNED BY a public body responsive to ALL County > voters and taxpayers.

## MEMORANDUM

TO: All County Council Members

FROM: Beth Hulse, Clerk to Council

DATE: September 7, 2007

CC: Dale K. Surratt, Administrator

RE: **Public Emails regarding Sewer**

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Enclosed please find an additional 7 email received today from the public in regards to the County's proposed sewer project on I85.

Attachments

Dale K. Surratt  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864 718-1023  
Fax: 864 718-1024

E-mail:  
[bhulse@oconeesc.com](mailto:bhulse@oconeesc.com)

George C. Blanchard  
District I

Thomas S. Crumpton  
District II

Mario Suarez  
District III

Marion E. Lyles, Chair  
District IV

H. Frank Ables, Jr.  
District V



**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 4:55 PM  
**To:** Beth Hulse; ocsomanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Bill Bruehl  
**Return Email:** bbruehl@bellsouth.net

**Area of Concern:** Sewers

**Comments:** I've been reading background materials on the sewer issue. This issue must be clarified before any vote to proceed is taken. The matter of representation on the sewer authority must be dealt with. There must be voter representation on that authority. There should All sewer assets must be owned by a properly constituted sewer authority. Any other steps taken by vote will only cause the county future legal difficulties. So, stop this process now. Bill Bruehl, Seneca



**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 5:07 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmiraw@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewers/Water  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Fred Kresse  
**Return Email:** fkresse@gmail.com

**Area of Concern:** Sewers/Water

**Comments:** Dear Sirs: Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Thank you for your consideration of our concerns about the Water and Sewer issues facing our county. Oconee County is a wonderful place to live. Let's keep it that way for ALL taxpayers. Sincerely, Frederick Kresse 426 E. Waterside Drive Seneca, SC 29672

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 5:25 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Jacobb Proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Mark Steele  
**Return Email:** vandy69@bellsouth.net

**Area of Concern:** Jacobb Proposal

**Comments:** My wife and I are residents of Oconee County. We are extremely concerned about the Jacobb proposal. We urge you to cease negotiations with Jacobb and to vote against any plan which does not provide a representative for each of the 5 districts. We have lived in Atlanta, where a private entity almost ruined the public water system. That private entity was ultimately removed and control returned to the Atlanta Water Bureau. You should vote against any plan which transfers the ownership of public water and sewer assets from a public body to a private entity not responsive to all county voters and taxpayers. Thank you.

Mark Steele  
10001 Clovis Drive  
Seneca, SC 29672

**Beth Hulse**

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**From:** esp@netmcs.com  
**Sent:** Thursday, September 06, 2007 7:39 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.

**From:** Ed Douglas

**Return Email:** stedly@hughes.net

**Area of Concern:** sewers

**Comments:** Please vote against the fair play sewer project!

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 10:39 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; wniimirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers/Jacabb proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Hamilton Altstatt  
**Return Email:** hamjam@bellsouth.net

**Area of Concern:** Sewers/Jacabb proposal

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

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We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 9:49 PM  
**To:** Beth Hulse; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer at I-85  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Legislative Delegation:** All members receive copies directly.

**From:** Susie Cornelius  
**Return** corneliusb@yahoo.com

**Email:**

**Area of** Sewer at I-85  
**Concern:**

**Comments:** I have an idea!

Let Goldie contract with the State for sewer at the Welcome Center, and also with the private developers desiring sewer in the I-85 area. The 400 acres is looking very much like the needed acreage for land application from Goldie's proposed wastewater treatment plant on the hayfield.

This will get the County out of the sewer issue at I-85, give the state the upgraded sewer at the Welcome Center, give the county income from from a land lease with Goldie on the 400 acres and the county will have a nearby wastewater treatment plant which, as suggested, can be increased in capacity when we finally get an industrial park going on what is left of the 400 acres.

The proposed Goldie/Jacabb deal is highly questionable and impractical from a taxpayer's point of view. Goldie, under any name, has the right to obtain and permit and build sewer for private enterprise at I-85. As a matter of fact, a private contractor is the solution to building sewer that crosses county lines between Oconee and Anderson Counties,

The fact is that Goldie does not have the financial stability to fund such an enterprise without the taxpayers' guarantee that any cost overrun will be paid.

Another fact, under Goldie's proposal, there is nothing to limit the ultimate cost to the county taxpayer,

Fact: the federal government will not accept Goldie as the signature on a contract for sewer at the Welcome Center at Exit 1.

Fact: Goldie proposes that Jacabb inspect and verify suitable progress of its own work on the proposed sewer system, before payments are made to Jacabb. That amounts to an open line-of-credit against the county taxpayer's pocketbook.

Fact: Goldie does not have experience in developing, building or operating a regional

sewer system of collection lines.

I am embarrassed for each of you that our County Council thinks such a proposal is worth consideration and that the state reps are willing to give funding under these circumstances. The Goldie/Jacabb proposal indicates a flagrant disrespect of public interest.

Susie Cornelius

**Beth Hulse**

**From:** asp@netmds.com

**Sent:** Thursday, September 06, 2007 4:21 PM

**To:** Beth Hulse; ainabinet@oconee.k12.sc.us; dmccormick@oconee.k12.sc.us; mlucas@oconee.k12.sc.us; schbrd@oconee.k12.sc.us; nmays@oconee.k12.sc.us; kposton@oconee.k12.sc.us; jerrylee@oconee.k12.sc.us; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HarC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkersmanB@schoose.org; HinsonS@schoose.org; HiattD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LowaP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; at@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; salemclerk29676@yahoo.com; chall@seneca.sc.us; cityofwalthalia@bellsouth.net; dsmith@westminstersc.org; West Union City Hall; council@targetoc.org

**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer, water, taxes

**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.

9/7/2007



**School Board:** Please forward this email to Mr. Hamilton. Others receive copies directly.

**Sewer Commission:** Please forward this email to all Commissioners and the Manager.

**Legislative Delegation:** All members receive copies directly.

All South Carolina Representatives.

All South Carolina Senators.

**Salem Town Council:** Please forward this email to all Councilmen and the Mayor.

**Seneca City Council:** Please forward to all Councilmen, the Mayor, and the Administrator.

**Walhalla City Council:** Please forward this email to all Councilmen, the Administrator, and the Mayor.

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Mark E. Masaschi

**Return Email:** mem@dmhllc.net

**Area of Concern:** Sewer, water, taxes

**Comments:** I did have the time to craft my own statement but I am adamantly opposed to all of the reckless spending and future liabilities being created by kneejerk decisions.

These reckless actions and subsequent punitive taxation are inexcusable. The people that have helped Oconee County build a workable tax base are now being taxed at a rate that exceeds any measure of economic growth and our taxes are being used for pet projects that are supported by the few not the many.

Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Mark E. Masaschi

## MEMORANDUM

TO: All County Council Members

FROM: Beth Hulse, Clerk to Council

DATE: September 6, 2007

CC: Dale K. Surrett, Administrator

RE: **Public Emails regarding Sewer**

---

Dale K. Surrett  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864 718 1023  
Fax: 864 718 1029

E-mail:  
[bhulse@oconeesc.com](mailto:bhulse@oconeesc.com)

George C. Blanchard  
District I  
Thomas S. Crumpton  
District II  
Mario Suarez  
District III  
Manon E. Lyles, Chair  
District IV  
H. Frank Ables, Jr.  
District V

Enclosed please find 6 email received today from the public in regards to the County's proposed sewer project on I85.

Attachments



**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 1:44 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Jacabb

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.

**From:** Bo Horne

**Return** cjhorne@prohelp.com

**Email:**

**Area of** Jacabb

**Concern:**

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Bo Horne

418 East Waterside Drive

Seneca, SC 29672

**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 2:27 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Water and Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Don Tart  
**Return Email:** dtart@duke-energy.com

**Area of Concern:** Water and Sewers

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Thank you for your help with this matter.

**Beth Hulse**

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**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 2:42 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewer System

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Jim Bell  
**Return Email:** jim@franchise-u.com  
**Area of Concern:** Sewer System

**Comments:** We ask each Councilman to: - CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.

- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.

- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 2:43 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**From:** Darlene Chapman  
**Return Email:** tdchapma@duke-energy.com  
**Area of Concern:** Sewers  
**Comments:** CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users



**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 3:00 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schohouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers / taxes

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** T C & I K Eckersley  
**Return Email:** tceike@bellsouth.net

**Area of Concern:** sewers / taxes

**Comments:** We have grave concerns with the Jacabb proposal. It sets a terrible precedent and is horribly one-sided. It violates existing agreements with the Sewer Commission and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be owned by a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides absolutely no representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each of you to:

1. CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85; one with adequate protections for both taxpayers and system users.
  2. VOTE AGAINST any plan for the Water and Sewer Authority which does not provide fair representation for county taxpayers. A minimum of five County representatives, one for each district and appointed by the Council is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse****From:** asp@netmds.com**Sent:** Thursday, September 08, 2007 3:02 PM

**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BallentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BrannamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; Funderburkl@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GullickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HartC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkersmanB@schoose.org; HinsonS@schoose.org; HiattD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; at@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphlettD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; cityofwallhalla@bellsouth.net; dsmith@westminstersc.org; West Union City Hall; council@targetac.org

**Subject:** Concerns from an Oconee County taxpayer and voter - multiple interests

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.  
 All South Carolina Representatives.

All South Carolina Senators.

**Walhalla City Council:** Please forward this email to all Councilmen, the Administrator, and the Mayor.

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Michael & Claudia Littrell

**Return Email:** dreamhomes@bellsouth.net

**Area of Concern:** multiple interests

**Comments:** The process must be completely open to all citizens and must be discussed. I read about the sewer issue in the newspaper but couldn't figure out why private entities are building a public system such as this. This only helps developers planning to developers and property owners along the exits of I-85. The system should be planned by Fair Play, Westminster, Walhalla and West Union as far as I can tell from my limited knowledge about the issue. I'd like to be better informed.

## MEMORANDUM

TO: All County Council Members

FROM: Beth Hulse, Clerk to Council

DATE: September 7, 2007

CC: Dale K. Surrett, Administrator

RE: **Public Emails regarding Sewer**

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Enclosed please find an additional 7 email received today from the public in regards to the County's proposed sewer project on 185.

Attachments

Dale K. Surrett  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864 718 1023  
Fax: 864 718 1024

E-mail:  
[bhulse@oconeesc.com](mailto:bhulse@oconeesc.com)

George C. Blanchard  
District I  
Thomas S. Crumpton  
District II  
Mario Suarez  
District III  
Marian E. Lyles, Chair  
District IV  
H. Frank Ailes, Jr.  
District V



**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 4:55 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Bill Bruehl  
**Return Email:** bbruehl@bellsouth.net  
**Area of Concern:** Sewers

**Comments:** I've been reading background materials on the sewer issue. This issue must be clarified before any vote to proceed is taken. The matter of representation on the sewer authority must be dealt with. There must be voter representation on that authority. There should All sewer assets must be owned by a properly constituted sewer authority. Any other steps taken by vote will only cause the county future legal difficulties. So, stop this process now. Bill Bruehl, Seneca

**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 5:07 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewers/Water  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Fred Kresse  
**Return Email:** fkresse@gmail.com  
**Area of Concern:** Sewers/Water

**Comments:** Dear Sirs: Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacabb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Thank you for your consideration of our concerns about the Water and Sewer issues facing our county. Oconee County is a wonderful place to live. Let's keep it that way for ALL taxpayers. Sincerely, Frederick Kresse 426 E. Waterside Drive Seneca, SC 29672

**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 5:25 PM  
**To:** Beth Hulse; ocsmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Jacabb Proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Mark Steele  
**Return Email:** vandy69@bellsouth.net

**Area of Concern:** Jacabb Proposal

**Comments:** My wife and I are residents of Oconee County. We are extremely concerned about the Jacabb proposal. We urge you to cease negotiations with Jacabb and to vote against any plan which does not provide a representative for each of the 5 districts. We have lived in Atlanta, where a private entity almost ruined the public water system. That private entity was ultimately removed and control returned to the Atlanta Water Bureau. You should vote against any plan which transfers the ownership of public water and sewer assets from a public body to a private entity not responsive to all county voters and taxpayers. Thank you.

Mark Steele  
10001 Clovis Drive  
Seneca, SC 29672



**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 7:39 PM  
**To:** Beth Hulse; council@targetoc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - sewers

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**From:** Ed Douglas  
**Return Email:** stedly@hughes.net  
**Area of Concern:** sewers  
**Comments:** Please vote against the fair play sewer project!

**Beth Hulse**

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 10:39 PM  
**To:** Beth Hulse; ocscmanager@bellsouth.net; was@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetloc.org  
**Subject:** Concerns from an Oconee County taxpayer and voter - Sewers/Jacabb proposal

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Sewer Commission:** Please forward this email to all Commissioners and the Manager.  
**Legislative Delegation:** All members receive copies directly.

**From:** Hamilton Altstatt  
**Return Email:** hamjam@bellsouth.net  
**Area of Concern:** Sewers/Jacabb proposal

**Comments:** Taxpayers have grave concerns with the Jacabb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

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We ask each Councilman to:

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- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

**Beth Hulse**

---

**From:** asp@netmds.com  
**Sent:** Thursday, September 06, 2007 9:49 PM  
**To:** Beth Hulse; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schouse.org; council@targetoc.org  
**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer at I-85  
**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.  
**Legislative Delegation:** All members receive copies directly.

**From:** Susie Cornelius  
**Return Email:** corneliussb@yahoo.com

**Area of Concern:** Sewer at I-85

**Comments:** I have an idea!

Let Goldie contract with the State for sewer at the Welcome Center, and also with the private developers desiring sewer in the I-85 area. The 400 acres is looking very much like the needed acreage for land application from Goldie's proposed wastewater treatment plant on the hayfield.

This will get the County out of the sewer issue at I-85, give the state the upgraded sewer at the Welcome Center, give the county income from from a land lease with Goldie on the 400 acres and the county will have a nearby wastewater treatment plant which, as suggested, can be increased in capacity when we finally get an industrial park going on what is left of the 400 acres.

The proposed Goldie/Jacabb deal is highly questionable and impractical from a taxpayer's point of view. Goldie, under any name, has the right to obtain and permit and build sewer for private enterprise at I-85. As a matter of fact, a private contractor is the solution to building sewer that crosses county lines between Oconee and Anderson Counties.

The fact is that Goldie does not have the financial stability to fund such an enterprise without the taxpayers' guarantee that any cost overrun will be paid.

Another fact, under Goldie's proposal, there is nothing to limit the ultimate cost to the county taxpayer.

Fact: the federal government will not accept Goldie as the signature on a contract for sewer at the Welcome Center at Exit 1.

Fact: Goldie proposes that Jacabb inspect and verify suitable progress of its own work on the proposed sewer system, before payments are made to Jacabb. That amounts to an open line-of-credit against the county taxpayer's pocketbook.

Fact: Goldie does not have experience in developing, building or operating a regional

sewer system of collection lines.

I am embarrassed for each of you that our County Council thinks such a proposal is worth consideration and that the state reps are willing to give funding under these circumstances. The Goldie/Jacabb proposal indicates a flagrant disrespect of public interest.

Susie Cornelius

**Beth Hulse**

**From:** asp@netmds.com

**Sent:** Thursday, September 06, 2007 4:21 PM

**To:** Beth Hulse; ainabinet@oconee.k12.sc.us; dmccormick@oconee.k12.sc.us; mlucas@oconee.k12.sc.us; schbrd@oconee.k12.sc.us; hmays@oconee.k12.sc.us; kposton@oconee.k12.sc.us; jerrylee@oconee.k12.sc.us; ccscmanager@bellsouth.net; wes@scstatehouse.net; sge@scsenate.org; whitmirew@scstatehouse.net; bowend@schoose.org; AgnewP@schoose.org; AlexanderT@schoose.org; KBA@schoose.org; AndersonC@schoose.org; AnthonyM@schoose.org; JCB@schoose.org; BailentineN@schoose.org; BannisterB@schoose.org; LDB@schoose.org; jab@schoose.org; BedingfieldE@schoose.org; KAB@schoose.org; BowenD@schoose.org; WKB@schoose.org; BradyJ@schoose.org; BranhamL@schoose.org; BrantleyC@schoose.org; FB@schoose.org; GB@schoose.org; RLB@schoose.org; HLC@schoose.org; CeipsC@schoose.org; ChalkR@schoose.org; CAC@schoose.org; ClemmonsA@schoose.org; WC@schoose.org; gch@schoose.org; cbc@schoose.org; HWM@schoose.org; WFC@schoose.org; CrawfordK@schoose.org; TMD@schoose.org; GRD@schoose.org; fgd@schoose.org; DuncanJ@schoose.org; TE@schoose.org; MBF@schoose.org; FunderburkL@schoose.org; GambrellM@schoose.org; JNG@schoose.org; GuilickC@schoose.org; HagoodB@schoose.org; HaleyN@schoose.org; GLH@schoose.org; HardwickN@schoose.org; HSP@schoose.org; HJU@schoose.org; HarC@schoose.org; HarvinC@schoose.org; GAH@schoose.org; JH@schoose.org; HerbkermanB@schoose.org; HinsonS@schoose.org; HiottD@schoose.org; HodgesK@schoose.org; LH1@schoose.org; LH@schoose.org; ch@schoose.org; JeffersonJ@schoose.org; DJ@schoose.org; KellyK@schoose.org; KK@schoose.org; KnightP@schoose.org; RWL@schoose.org; HBL@schoose.org; LFL@schoose.org; DAL@schoose.org; LoweP@schoose.org; JL@schoose.org; DJM@schoose.org; MahaffeyJ@schoose.org; WJM@schoose.org; JM1@schoose.org; VOM@schoose.org; MITCHELLH@schoose.org; bam@schoose.org; MossD@schoose.org; MulvaneyM@schoose.org; jmn@schoose.org; JN@schoose.org; DWN@schoose.org; HLO@schoose.org; owensp@schoose.org; JAP@schoose.org; RSP@schoose.org; ORP@schoose.org; PinsonG@schoose.org; PittsT@schoose.org; PittsM@schoose.org; RFR@schoose.org; JTR@schoose.org; WES@schoose.org; WBS@schoose.org; JLS@schoose.org; SellersB@schoose.org; ShoopmanP@schoose.org; JGS@schoose.org; SkeltonBR@schoose.org; DCS@schoose.org; FNS@schoose.org; GMS@schoose.org; SmithG@schoose.org; JS@schoose.org; RepSmith@JamesSmith.org; SPT@schoose.org; SpiresK@schoose.org; StavL@schoose.org; StewartJ@schoose.org; SFT@schoose.org; at@schoose.org; MT@schoose.org; TooleM@schoose.org; UmphletD@schoose.org; VickT@schoose.org; ViersT@schoose.org; REW@schoose.org; JDW@schoose.org; JSW@schoose.org; WBW@schoose.org; WhitmireW@schoose.org; WilliamsR@schoose.org; WDW@schoose.org; ADY@schoose.org; SGE@scsenate.org; RA@scsenate.org; BRYANTK@scsenate.org; CAMPSEN@scsenate.org; CLEARYR@scsenate.org; EDU@scsenate.org; CROMERR@scsenate.org; PTE@scsenate.org; DE@scsenate.org; CP@scsenate.org; RIF@scsenate.org; SFG@scsenate.org; STR@scsenate.org; DH@scsenate.org; set@scsenate.org; CBH@scsenate.org; DJ1@scsenate.org; SIV@scsenate.org; JCL@scsenate.org; SFI@scsenate.org; PL@scsenate.org; JBL@scsenate.org; MALLOYG@scsenate.org; SRU@scsenate.org; JWM@scsenate.org; SJU@scsenate.org; JYM@scsenate.org; TLM@scsenate.org; WHO@scsenate.org; KAY@scsenate.org; MED@scsenate.org; CCP@scsenate.org; LR@scsenate.org; GR@scsenate.org; JHR@scsenate.org; SLC@scsenate.org; SCOTTR@scsenate.org; NGS@scsenate.org; VS@scsenate.org; LHS@scsenate.org; SBI@scsenate.org; LRV@scsenate.org; SAG@scsenate.org; WILLIAMSK@scsenate.org; Itgov@scsenate.org; salemclerk29676@yahoo.com; chall@seneca.sc.us; cityofwalhalla@bellsouth.net; dsmith@westminstersc.org; West Union City Hall; council@targetoc.org

**Subject:** [SPAM] Concerns from an Oconee County taxpayer and voter - Sewer, water, taxes

**Importance:** Low

**For:** **County Council:** Please forward this email to all Councilmen and the Administrator.

9/7/2007

**School Board:** Please forward this email to Mr. Hamilton. Others receive copies directly.

**Sewer Commission:** Please forward this email to all Commissioners and the Manager.

**Legislative Delegation:** All members receive copies directly.

All South Carolina Representatives.

All South Carolina Senators.

**Salem Town Council:** Please forward this email to all Councilmen and the Mayor.

**Seneca City Council:** Please forward to all Councilmen, the Mayor, and the Administrator.

**Walhalla City Council:** Please forward this email to all Councilmen, the Administrator, and the Mayor.

**Westminster City Council:** Please forward this email to all Councilmen and the Mayor.

**West Union Town Council:** Please forward this email to all Councilmen and the Mayor.

**From:** Mark E. Masaschi

**Return Email:** mem@dmhllc.net

**Area of Concern:**

Sewer, water, taxes

**Comments:** I did have the time to craft my own statement but I am adamantly opposed to all of the reckless spending and future liabilities being created by kneejerk decisions.

These reckless actions and subsequent punitive taxation are inexcusable. The people that have helped Oconee County build a workable tax base are now being taxed at a rate that exceeds any measure of economic growth and our taxes are being used for pet projects that are supported by the few not the many.

Taxpayers have grave concerns with the Jacobb proposal. It sets a terrible precedent, is horribly one-sided, violates existing agreements with the Sewer Commission, and creates massive future liabilities for the County. All assets for which any public money is spent to provide public sewer or water service should be OWNED BY a public body, preferably the Oconee County Sewer Commission as it exists today.

The plan for restructuring the Sewer Commission into an Authority provides NO representation for County voters and taxpayers residing outside city limits. As emphasized by Governor Sanford, the entire plan of reorganization violates the same principles of Home Rule so frequently emphasized by the Council itself.

We ask each Councilman to:

- CEASE NEGOTIATIONS with Jacobb and give the Sewer Commission reasonable time for creating a comprehensive plan for sewer service along I-85, one with adequate protections for both taxpayers and system users.
- VOTE AGAINST any plan for the Water and Sewer Authority which does not provide FAIR representation for county taxpayers. A minimum of FIVE County representatives, one for each district and appointed by the Council, is essential for preventing total disenfranchisement of 80% of the County's population.
- VOTE AGAINST any plan where all public water and sewer assets are not fully OWNED BY a public body responsive to ALL County voters and taxpayers.

Mark E. Masaschi.



AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

2007-2008 millage recommendation for Oconee County

**BACKGROUND OR HISTORY:**

This is done on an annual basis to project revenue for county operations, county bonds, school operations and school bonds

**SPECIAL CONSIDERATIONS OR CONCERNS:**

N/A

**STAFF RECOMMENDATION:**

The approval of millage in order for tax calculations to be made and tax notices prepared and mailed in a timely manner

**FINANCIAL IMPACT:**

If millage is not set, there will be no revenue to fund the 2007-2008 county and school budgets that has been set by county council

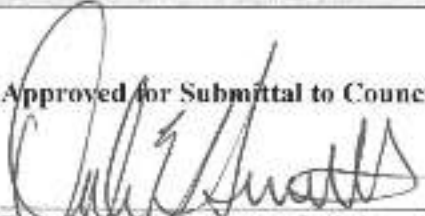
**ATTACHMENTS**

To be passed out at council meeting on 9-11-07

**Submitted or Prepared By:**

  
Linda R. Nief  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surrett, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

C: Clerk to Council



**Oconee County Auditor  
Linda R. Nix**

415 S. Pine Street, Walhalla, SC 29691  
Telephone 864-638-4158 Fax 864-718-1015

September 11, 2007

Oconee County Council Members  
415 South Pine Street  
Walhalla, SC 29691

RE: 2007-2008 Tax Levies

Dear Honorable Council Members:

In compliance with the Oconee County Budget Ordinance 2007-05 I recommend the proposed millage for the fiscal year 2007-2008 for the County and School operating budgets of Oconee County.

Also in accordance with 4-15-150 and 59-71-150 of the Code of Laws of South Carolina, I have included information regarding the millage that the Treasurer and I have set for County and School Debt Obligation. A breakdown of the levies is provided to you on the attached form.

Although there are as yet still certain manufacturing and utilities for which final confirmation has not been received, we feel that the net assessed values underlying these computations are conservative, and that the budget will be adequately funded.

I respectfully request that you adopt the millage rates as recommended.

Sincerely,

Linda R. Nix  
Oconee County Auditor

CC: Mr. Dale Surrett, County Administrator

**Oconee County, South Carolina**  
**Proposed Millage Rates for Fiscal Year 2007-2008**

	Mills
<b>I. County</b>	
County Operations	67.0
Economic Development	1.0
Bridges/Culverts	1.0
County Bonds:	
Court House	1.8
2002 GO Bond	1.6
<b>Total County</b>	<b>72.4</b>
<b>II. School</b>	
School Operations	109.8
School Bonds:	
1988 School	0.9
2001 School	2.8
03 Refunding	3.3
04 Refunding	3.2
2005 School	3.4
2006 School	0.9
2007 School	16.5
<b>Total School</b>	<b>140.8</b>
<b>III Tri-County Technical College</b>	
Tri County Operations	2.1
Tri County Bonds	0.7
<b>Total Tri County Tech.</b>	<b>2.8</b>
<b>Grand Total Mills</b>	<b>216.0</b>

Proposed By County Auditor

Approved by Oconee County Council  
11-Sep-07

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Linda R. Nix  
Oconee County Auditor

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Marion E. Lyles  
Council Chairman

# Memo

**To:** Oconee County Council Members  
**From:** Christy W. Tompkins, Chief Deputy Auditor  
**CC:** Dale Surrett, Oconee County Administrator  
**Date:** 9/11/2007  
**Re:** Keowee Fire District Millage

---

I am listing the final assessments for Keowee Fire District below. At previous council meetings it was said that the millage would be 13.7 mills for this district. Based on final assessments on real estate and personal property it will take 14 mills to cover their expected revenues from ad valorem taxes.

Boats/Motors	862,420
Aircraft	3,640
County assessed businesses	92,220
State assessed businesses	119,790
Utilities	6,690
Real Estate	35,044,310
Rollback Real Estate	41,190
Vehicles	2,559,400
<b>Total</b>	<b>38,729,860</b>

## 2006 - 2007 TAX COMPARISON

2006 Vehicle Taxes (Millage rate 204)	
Value of Property	Taxes
\$5,000.00	\$61.20
\$15,000.00	\$183.60
\$25,000.00	\$306.00

2007 Vehicle Taxes (Millage rate 216 )	
Value of Property	Taxes
\$5,000.00	\$64.80
\$15,000.00	\$194.40
\$25,000.00	\$324.00

2006 Real Estate Taxes (Millage rate 204)		
Value of Property	Taxes	
	W/ Legal Residence	W/O Legal Residence
\$50,000.00	\$260.00	\$612.00
\$150,000.00	\$928.00	\$1,836.00
\$250,000.00	\$1,744.00	\$3,060.00

2007 Real Estate Taxes (Millage rate 216 )		
Value of Property	Taxes	
	W/ Legal Residence	W/O Legal Residence
\$50,000.00	\$212.40	\$648.00
\$150,000.00	\$637.20	\$1,944.00
\$250,000.00	\$1,062.00	\$3,240.00

**Oconee County, South Carolina  
Proposed Millage Rates for Fiscal Year 2007-2008**

	Mills
<b>I. County</b>	
County Operations	67.0
Economic Development	1.0
Bridges/Culverts	1.0
County Bonds:	
Court House	1.8
2002 GO Bond	1.6
<b>Total County</b>	<b>72.4</b>
<b>II. School</b>	
School Operations	109.8
School Bonds:	
1998 School	0.9
2001 School	2.8
03 Refunding	3.3
04 Refunding	3.2
2005 School	3.4
2006 School	0.9
2007 School	16.5
<b>Total School</b>	<b>140.8</b>
<b>III. Tri-County Technical College</b>	
Tri County Operations	2.1
Tri County Bonds	0.7
<b>Total Tri County Tech.</b>	<b>2.8</b>
<b>Grand Total Mills</b>	<b>216.0</b>

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** Sept. 11, 2007

**COUNCIL MEETING TIME:** 7:00 p.m.

**ITEM TITLE OR DESCRIPTION:**

Bid #07-05, Used Track Excavator for the Oconee County Rock Quarry.

**BACKGROUND OR HISTORY:**

On August 23, 2007, formal sealed bids were opened for this equipment. Thirteen companies were originally notified of this bid opportunity. Eight companies submitted bids, with Neff Rental Inc, of Tampa, Fl. submitting the lowest bid of \$69,000.00.

Because this solicitation is for the purchase of a used machine and price is not the only factor to consider, County staff went to see and to demo six of the machines.

Neff Rental's original warranty offer was for only 30 days, which met our minimum requirement. Because some of the other bidders offered longer warranties, staff requested Neff to supply pricing for an additional warranty (see bid tabulation). However, after review of this offer, staff recommends not accepting the additional warranty.

**STAFF RECOMMENDATION:**

Award Bid #07-05 to Neff Rental Inc, of Tampa, Florida, in the amount of \$69,000.00.

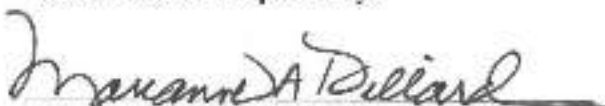
**FINANCIAL IMPACT:**

For FY 07-08, County Council approved \$125,000.00(budget code 017-719-50841) for the purchase of a used excavator, using funds received from the sell of the portable crushing plant in June of 2007.

**ATTACHMENTS:**

1. Bid Tabulation

**Submitted or Prepared by:**

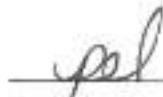
  
(Department Head/Elected Official)

**Approved By:**

  
Dale Surratt,  
Oconee County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

 Finance

 Other

C: Clerk to Council



Approved Budget Ordinance amount for bid item \$125,000  
Budget Code 017-719-60645

I hereby certify that to the best of my knowledge  
this tabulation of bids to be correct.

*Thomas A. Bellard*  
Procurement Director

Bidders	Neff Rental	Interstate Equipment Co.	Van Loft, Inc.	Briggs Construction Equipment	Stafford	ASC Construction Equipment, Inc.	Linder Industrial Machinery	Briggs Construction Equipment	Liebherr Equipment Source
Address	Tampa, FL	West Columbia, SC	Simpsonville, SC	Greenville, SC	Columbia, SC	Piedmont, SC	Greer, SC	Greenville, SC	Raleigh, NC
Base Bid	\$ 69,000.00	\$ 81,000.00	\$ 100,000.00	\$ 105,000.00	\$ 110,600.00	\$ 120,000.00	\$ 121,200.00	\$ 124,000.00	\$ 125,000.00
Additional Warranty: 1 yr/1000 hrs (\$250 reducible)	\$ 7,835.10	-	-	-	-	-	-	-	-
TOTAL	\$ 76,835.10								
Manufacturer & Model Number	JCB JS330LC	JCB JS220	Komatsu PC220	CASE CX240	Komatsu PC200LC	Volvo EC240BLC	Komatsu PC200LC8	CASE CX290	Liebherr R914
Year	2001	2004	2004	2004	2005	2005	2008	2004	2002
# of hours	3,525	5,989	4,750	1,725	1,278	1,990	700	2,132	1,987
Horse power	219	172	168	173	135	168	148	182	150
Weight	71,883	49,714	54,048	53,240	50,000	56,820	47,000	64,725	55,000
Bucket size	52"	42"	36"	42"	42"	48"	42"	42"	2 buckets with quick couplers
Location	Tampa, FL	West Columbia, SC	Simpsonville, SC	Greenville, NC	Lawrenceville, GA	Raleigh, NC	Raleigh, NC	Raleigh, NC	Raleigh, NC
Warranty	30 day (included in base bid price)	30 day	3 months or up to 5,000 hrs	Unit 5/26/09 or up to 5,000 hrs	30 day	Unit March 2008 or up to 5,000 hrs.	30 days	Until 5/30/09 or up to 5,000 hrs.	30 day
Delivery Date ARO	14 days	in stock	not given	15 - 30 days	2 weeks	not given	2 - 3 weeks	15 - 30 days	not given

Attended Bid Opening: Marianne Dillard, Donna Burrell, Rick Martin, Mickey Keir, Charles McAlexander - Liebherr, Mike Dodson - Interstate Equip., Keith Gilliland - ASC Construction, Eric Falyol - Linder, Sean Smith - Van Lott

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11, 2007  
**COUNCIL MEETING TIME:** 7:00 p.m.

**ITEM TITLE OR DESCRIPTION:**

**Bid #07-02, Prescription Drug Service for the Detention Center**

**BACKGROUND OR HISTORY:**

On July 26, 2007, formal sealed bids were opened for Prescription Drug Service. Fourteen companies were originally notified of this bid opportunity. Six companies submitted bids, with IHS Pharmacy (Independent Health Services, Inc.), of Rainsville, Alabama, submitting the lowest bid, based on a combination of dispensing fee, consultant pharmacist fee, and sample pricing for ten commonly used medications.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Our Bid Solicitation stated the County wished to contract with an in-County pharmacy, because we have to have monthly audits and sometimes require a prescription to be filled within a few hours; and staff felt like a mail order pharmacy would not be able to meet our requirements.

However, although located out of state, IHS Pharmacy has next day delivery for all prescriptions and has a contract with an in-county pharmacy (CVS) for emergency medications. IHS specializes in providing prescription medication to correctional facilities and provides a unique packaging system that reduces the amount of time taken by staff to prepare and dispense medication. This company has a registered in-state pharmacist available for monthly audits and consultation services at no cost to Oconee County. They also do not charge a per prescription dispensing fee.

**STAFF RECOMMENDATION:**

Because the bid from IHS was considerably lower and their discounts off of generic and brand name drugs were considerably less (60% & 15%) than the local pharmacies, and they can meet all of our requirements, staff recommends that we award bid # 07-02 to IHS Pharmacy of Rainsville, AL for a period of one year with the option to renew for four additional one-year periods.

**FINANCIAL IMPACT:**

For FY 07-08, County Council approved \$185,000 in our Medical line item (budget code 010-106-30062-00000) which includes the purchase of prescription medications. For July and August, we have spent almost \$11,300 for inmate prescriptions. Based on inmate population trends, we estimate that medication costs for the remainder of the fiscal year will be approximately \$60,000 to \$65,000.

**ATTACHMENTS:**

1. Bid Tabulation

**Submitted or Prepared by:**

  
(Department Head/Elected Official)

**Approved By:**

  
Dale Surrency  
Oconee County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

 Finance

 Other

C: Clerk to Council

Approved Budget for 2007 is amount for 2006 plus \$100,000  
 Budget Code 212-09-30202-0000

Please verify that the total drug charges  
 (Member of table D to correct)  
*Marianne Dillard*  
 Pharmacy Director

Category	Bidders Address	The Pharmacy at Park Place		Sammeth Drugs		Moulin's Apothecary		Medicine Shoppe #208		IHS Pharmacy		Diamond Medical Supply	
		Seneca, SC	Seneca, SC	Seneca, SC	Seneca, SC	Seneca, SC	Seneca, SC	Seneca, SC	Medley at Cameron Center	Prattville, AL	Indiana, PA		
	Base Bid: Goodrite	-10%		-30%	0%	-15%		-15%		-60%	-55%		
	Base Bid: Board Manew	-10%		-14%	0%	-10%		-10%		-15%	-15%		
720	Dispensing Fee per Prescription	1.00	720.00	5.50	3,960.00	8.00	5,760.00	10.00	7,200.00	24.00	24.00		
80	Consultant/Pharmacist Fee	60.00	5,000.00	75.00	3,750.00	100.00	5,000.00	75.00	3,750.00	28.75	28.75	\$125.00	\$8,250.00
	Delivery Service	Initial base		always	Initial base	Initial base		Initial base		Always at Cameron Center	Always		
	Navigation Cost												
	Clawback	62.27		64.96	64.16	69.16		62.27		56.75	56.75		56.75
	Atlas	116.26		118.27	208.66	208.66		116.26		102.33	102.33		102.33
	Gender	305.55		309.81	344.53	344.53		305.55		278.62	278.62		278.62
	Lokapoo	75.76		82.24	89.23	89.23		75.76		70.45	70.45		70.45
	Shallena	268.53		262.88	149.48	149.48		268.53		240.40	240.40		240.40
	Sunquel	387.64		401.43	490.48	490.48		414.41		368.00	368.00		368.00
	Neutromin	3.55		31.35	75.77	75.77		67.61		5.94	5.94		5.94
	Toprol XL	27.06		31.35	30.03	30.03		27.06		24.14	24.14		24.14
	Omeprazole	92.05		77.09	102.33	102.33		85.94		86.67	86.67		86.67
	Amoxicillin	10.29		2.95	11.30	11.30		8.71		2.98	2.98		2.98
	Subtotal	1,366.60		1,396.11	1,643.00	1,643.00		1,456.70		1,224.33	1,224.33		1,084.24
	Dispensing Fee per Prescription	1.00		5.50	8.00	8.00		10.00		-	-		-
	Dispensing Fee X 10	10.00		55.00	80.00	80.00		100.00		-	-		-
	Prescriptions	1,379.60		1,441.11	1,823.00	1,823.00		1,556.70		1,224.33	1,224.33		1,084.24
	Total Cost of Prescriptions	1,379.60	1,379.60	1,441.11	1,823.00	1,823.00		1,556.70	1,556.70	1,224.33	1,224.33		1,084.24
	Total Dispensing, Consulting and Sample Medications	5,099.60		9,151.11	12,983.06	12,983.06		12,509.70		1,224.33	1,224.33		7,734.34

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11, 2007  
**COUNCIL MEETING TIME:** 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Oconee Conservatory of Fine Arts in the amount of \$6,000.00 for Radio/Newspaper Advertising for the regional Talent Explosion 2008. Talent Explosion 2008 is a two day arts talent showcase and competition March 1-2, 2008. All advertising will be to communities and regions outside Oconee County and covering both Georgia and North Carolina. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$6,000.00 to the Oconee Conservatory of Fine Arts.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council; the remaining balance will be \$17,305.16.


**ATTACHMENTS:**

Oconee Conservatory of Fine Arts Grant Request

**Submitted or Prepared By:**

Phil Shirley, PRT Director  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surrent, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

pel Finance

VHZ Other Grants

**C: Clerk to Council**

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization Oconee Conservatory of Fine Arts

B. Address PO BOX 448, Walhalla, SC 29691

**II. FUNDS REQUESTED**

A. ATAX Funds Requested \$6,000

How will ATAX Funds be used?

To support and advertise our Annual Talent Showcase

B. Estimated percentage of costs directly attributed to attracting or serving tourists? 30%

D. Funds furnished by your organization \$ 3000

Matching grant \$ 0 Source \_\_\_\_\_

Other Funding:

S3625 Source County Businesses for prize money

E. Provide an itemized budget for your event **and** for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

### III. NARRATIVE PROJECT DESCRIPTION

#### A. Project Title Talent Explosion 2008!

B. Description of project: Talent Explosion 2008 is a two day arts talent showcase and competition. March 1<sup>st</sup> from 1:00 – 3:00 will be the Kids Performing Arts Competition for children through the 8<sup>th</sup> grade. These kids will demonstrate their performing talent in competition for money prizes of \$50, \$75, & \$100. From 3:00 to 5:00 will be an Open Mic, opportunity for any age group wishing to perform, but not compete. From 5:00 to 7:00 pm will be the Adult/Youth Performing Arts Competition. These performers will demonstrate their talent and compete for money prizes of \$100, \$150 & \$200. Judges for these events are selected for their performance back grounds and are not otherwise associated with the Conservatory. During these performances Visual Art will be on display. March 2<sup>nd</sup> from 2:00 – 5:00 will be the Gospel & Praise Choir Program. This program will not be a competition.  
Of primary interest in selecting this as our major fundraising event is its regional attraction. The Oconee Conservatory looks to become a high quality regional arts institution. As such, we, along with the Oconee Community Theater, Walhalla Civic Auditorium, and the Blue Ridge Arts Council, will work to make Oconee a cultural leader in the tri-state area.

C. Who will benefit from this project? Oconee County Residents, Motels, Restaurants, Walhalla Civic Auditorium, Blue Ride Arts Council, County Chambers of Commerce, Oconee Conservator of Fine Arts

### IV. DATES OF PROJECT

Beginning March 1, 2008 Ending March 2, 2008

### V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 10 Nov 2004

Eleemosynary Organization under IRS Code: IRS 501 c (3)

Date of Determination Letter \_\_\_\_\_



## VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County?

Talent Explosion 2008 will influence tourism by augmenting and growing Oconee County's existing arts and cultural tourism base. With successful events produced by Oconee Community Theater, Blue Ridge Arts Council, Walhalla Civic Auditorium, Heritage Center and festivals like Oktoberfest, visitors expect high quality arts related venues and entertainment. Oconee Conservatory of Fine Arts' annual talent showcase will contribute by providing this quality arts participation event.

With an arts participation activity like a talent showcase, participants not only attract spectators from the general public, but also bring in family, friends and supporters thereby adding significantly to the tourism impact. This years showcase is a two-day event with several activities on each day. This encourages lengthy stays by spectators and participants. These longer stays translate into the need for rooms and meals, and encourage local shopping.

How many visitors/participants attended the event last year and are anticipated this year? Talent Showcase 2007 had 186 in attendance for 15 participants, for Talent Explosion 2008 we anticipate 800 in attendance for approximately 45 participants.

We have divided the competition into two separate activities based on age of the participants and added a gospel/praise choir program and an open mic opportunity. We have also scheduled this years show for March rather than May(last years show) to stay away from other 'end of the school year' events and to provide a tourism event during a traditionally slow period. These changes and additions were based on public feedback from Talent Showcase 2007 and will increase visitor attendance.

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? Talent Showcase 2007 had 36 visitors from beyond 50 miles. We anticipate 200 visitors from beyond 50 miles for Talent Explosion 2008.

How many overnight stays were created by this event last year and are anticipated this year? Given the distances traveled and conversations with contestants and families, we estimate 15 individuals stayed in the county overnight as a result of Talent Showcase 2007. We estimate that 65 will stay overnight as a result of Talent Explosion 2008.

How do you plan to advertise this event beyond a 50 mile radius of Oconee

County? Cable TV add, Radio adds, Newspaper adds, e-mail through arts organizations, mailers to music stores and dance studios

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) Sample zip code tally sheet that was compiled during the Talent Showcase 2007 event.

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) guest zip code tally sheets

## VII. AUDIT

Does your organization perform an independent audit? Yes  No   
Name of the Auditor \_\_\_\_\_

VIII. Will your project be using any funds from another group that received ATAX funds? No

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name Francis Guldner Title Treasurer

Signature  Date 23 Aug 2007

Address PO BOX 448, Walhalla, SC 29691

E-mail ocfa@bellsouth.net Fax No. 864 718 0042

Phone Number (s) 864 638 5750 cell 864 710 1186

B. Alternate Contact Frances Devoe Title Director

Address PO BOX 448, Walhalla, SC 29691

E-mail ldevoe@bellsouth.net Fax No. 864 718 0042

Signature  Date 23 AUG 2007

Phone Number (s) 864 638 3679 864 710 3524



# *Oconee Conservatory of Fine Arts*

## Talent Showcase 1 - 2 March 2008

**EXPENSE**

Rent			<b>ATAX Grant Portion</b>
	Walhalla Civic Auditorium	1000	
Prizes		675	
Event Operations			
	Forms/tickets/postage	200	
	decorations/support	600	
Advertising			
	Local		
	Radio	500	
	Posters	100	
	Brochures	1000	
	Tri State Outside Oconee		
	Radio	3000	3000
	News papers	3000	3000
	Posters	900	
	Brochures	1000	
	Postage/shipping	250	
	Distribution support	400	
	<b>TOTAL</b>	<b>\$ 12,625</b>	<b>ATAX Total \$ 6,000</b>

Note: The radio and newspaper figures are based on the actual billing for April - May 2007 campaign.

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Oconee Community Theatre in the amount of \$13,760.00 for Billboard Advertising of all shows for the upcoming 2007-2008 Season. Billboards will be placed in both Anderson and Pickens Counties and will be updated to advertise each show specifically. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$13,760.00 to the Oconee Community Theatre.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council; the remaining balance will be \$17,305.16.

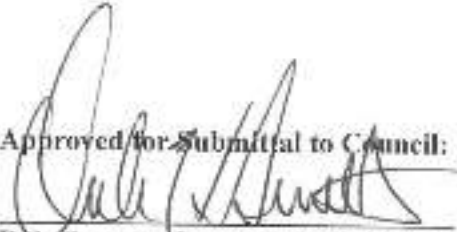
**ATTACHMENTS:**

Oconee Community Theatre Grant Request

Submitted or Prepared By:

Phil Shirley, PRT Director  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Surret, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_  
County Attorney

pel  
Finance

VH  
Other Grants

C: Clerk to Council

## For Tourism Related Projects

### I. Applicant

Oconee Community Theatre  
PO Box 291  
Seneca, SC 29679  
Phone: 864 882-1910

Bill Chiusano  
Executive Director

### II. Funds Requested

- A. ATAX Fund Requested \$13,760.00
- B. How will ATAX funds be used? **To advertise Oconee Community Theatre's 2007-08 season on billboards in Anderson County and in Pickens County.**
- C. Provide itemized budget. Three estimates for work to be done. **Attached**
- D. Funds furnished by your organization \$ 0

### III. Narrative Project Description

- A. Project Title: **Billboard Campaign to Promote OCT's 2007-08 season**
- B. Description of Project: **These billboards will help us increase our patrons from outside of Oconee County. They will be placed on major roads coming into our area.**
- C. Who will benefit from this project? **OCT will benefit from an increase in attendance. Local hotels and restaurants will benefit from increased occupancy and food sales. Additionally, local merchants will benefit from this increased traffic as these out of town folks will shop our local stores and buy gas and related items during their stay in Oconee County.**

### IV. Dates of Project

Beginning: **October 2007**

Ending: **September 2008**

### V. Applicant Category

**Non-profit Organization:**

**Incorporated date: October 1971  
Fed ID 23-7228997**

### VI. Demographic Data

How will project influence tourism in Oconee County?

**OCT is presently a major tourism draw in the county. With this billboard program we will continue to attract patrons from outside our county that otherwise would not visit and spend money in Oconee. As a result of this promotion we will be able to attract more folks to our shows, increasing the dollars spent at the restaurants,**

shops and gas stations our patrons will frequent as a result of their theater activities. For every dollar spent at the theatre our patrons spend five times that amount at local hotels, restaurants and shops.

How many visitors/participants attended events this year and anticipated next year?  
We drew over 9000 participants/attendees over this past season. We expect over 10,000 attendees this season.

How many overnight stays were created by this event last year and are anticipated next year?

Last year (season) 18  
Next Year - 100

How do you plan to advertise this event beyond a 50-mile radius of Oconee County?  
The billboards will be in areas that have a high concentration of non-Oconee County residents. Our goal is to attract more out of county patrons to our theatre.

What other documentation can you provide demonstrating this event promotes Tourism in OC?

We keep records of attendees for all our shows. Previously, our audiences were 85% from Oconee County. Through our more extensive regional advertising we have increased the outside OC attendance from 15% to 20%. We would like to increase this percentage to 25% next season.

What records will be kept during this event to obtain the above demographic data?

We keep detailed records of all attendees for all our shows throughout the season. These records include a reservation list for each show sorted by name, phone number, # in party and ticket status.

#### VII. Audit

Does your organization perform an independent audit? Yes

Name of Auditor: Reneta Owens, CPA

#### VIII.

Will your project be using any funds from another group that received ATAX funds?

No

**Budget for 2007-08 Season Billboard Campaign**

Two Billboard, one in Anderson County and one in Pickens County for twelve months starting October 2007 through September 2008.

\$475 per board per month -	\$11400.00
Cost for billboard paper 2 per show	\$2360.00
<b>Total</b>	<b>\$13,760.00</b>

See attached quote from Fairway Outdoor Advertising.

**Bill Chiusano**

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**From:** Edwards, Lance [lance.edwards@fairwayoutdoor.com]  
**Sent:** Wednesday, August 01, 2007 10:18 AM  
**To:** oconnect@innova.net  
**Subject:** billboards for '07-'08

Bill,

Our current rate is \$545 per board per month. I can get you these boards, with respect to your past contract, and the fact that you are going for a full year, for \$475 per board. That will make your monthly space payment \$950 per month (a savings of \$140 per month / \$1680 for the year).

According to last year's contract, it looks like you never bought more than 4 of each design.

2 - Battle of Shallowford	\$304
2 - Babes in Toyland	\$304
2 - Arsenic and Old Lace	\$304
2 - Nine Girls	\$304
2 - Harvey	\$304
2 - Mindtrap	\$304
4 - Sound of Music	\$536
<b>Total</b>	<b>\$2360</b>

This matches exactly what you bought last year and I will keep your price the same this year. For every 2 you buy of a design it will cost \$304.

I hope this helps, and if you need anything else from me please let me know and I will get it to you as soon as I can. Thanks for everything and have a great day!

Lance A. Edwards  
854.224.4000

I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.

A. Contact Name Bill Chinsano Title Executive Director  
Signature [Signature] Date 8/1/07  
Address PO Box 291, Seneca, SC 29679  
E-mail oconeeet@innova.net Fax No. 864-882-1910  
Phone Number (s) 864-882-1910

B. Alternate Contact Warren Samps Title Board Member  
Address 1143 Briarwood Ln, Seneca, SC 29672  
E-mail Samps\_wa@bellsouth.net Fax No. \_\_\_\_\_  
Signature [Signature] Date 8/2/07  
Phone Number (s) 882-7472 - Cell 710-8379



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Blue Ridge Arts Council in the amount of \$1,370.00 for advertising (Postcards/Programs/Newspaper) the "Photography Show" to communities outside Oconee County and with a regional Arts publication covering both North Carolina and South Carolina. This show will begin September 21 at the Blue Ridge Arts Center. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Original request was for \$1,770. The "Call to Entry" advertising (\$400) had already been complete, therefore not reimbursable by ATAX funds.

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$1,370.00 to the Blue Ridge Arts Council.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council; the remaining balance will be \$17,305.16.

**ATTACHMENTS:**

Blue Ridge Arts Council Grant Request

**Submitted or Prepared By:**

Phil Shirley, PRT Director  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surratt, County Administrator

**Reviewed By/ Initials:**

                     County Attorney  
Ray Finance  
Vite Other Grants

**C: Clerk to Council**

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization Blue Ridge Arts Council

B. Address 111 E. South Second St., Seneca, SC 29678

**II. FUNDS REQUESTED**

A. ATAX Funds Requested \$ 1,770.00

How will ATAX Funds be used? ATAX funds will be used to enhance participation in an upcoming show at the Blue Ridge Arts Center. The **Juried Photography Show** opening September 21, 2007. It is our goal to encourage viewers' attendance from communities more than 50 miles away from Oconee County. Advertisement throughout the region in a variety of media, the design, printing and mailing of invitations, show cards, printing of the exhibition catalog, and advertising for the opening reception will be included in the funded activities.

B. Estimated percentage of costs directly attributed to attracting or serving tourists? 20%

D. Funds furnished by your organization: Photo = \$1,575.00

Matching grant \$ \_\_\_\_\_ Source

Other Funding: Photo = \$150.00 Source: Seneca HAT

E. Provide an itemized budget for your event **and** for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

*Improper quotes were first submitted. New quotes have been requested and will be available at the meeting. ✓*

### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title: Blue Ridge Art Council's Juried Photography show

B. Description of project: The Juried Photography Show is an opportunity for BRAC to encourage artists from among our membership as well as from outside the area to join in a prestigious event. The chairperson of this event is an accomplished photographer and a native to the upstate of South Carolina. We hope that she will entice other artists from the area to join the show. The juror for this event, CJ Elfont, is internationally renowned for his photographic work. When googled, his name draws 1,700 hits. We believe that his involvement in this show will draw photographers from the Atlanta area and beyond. Their exhibiting will take this show to a new level for BRAC.

Increased advertising throughout South Carolina will draw more artists to Oconee County for the shows. This, in turn, will attract larger crowds of visitors to the gallery to view the show.

C. How will the project influence tourism in Oconee County?

By increasing the publicity for artists from a wider geographic area to enter the invitational show, the level of quality of the artwork submitted will increase. This will increase the number of visitors both from the local area as well as from afar. Inviting artists from, for example the Greenville or Asheville areas will draw visitors familiar with their work from those venues. These visitors will utilize restaurants, lodging, and shops in the county.

### IV. DATES OF PROJECT

Beginning September 21, 2007 Ending November 9, 2007

### V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 1970

Elccemosynary Organization under IRS Code: IRS # 23-7360169

Date of Determination Letter October 1974

## VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County: The unique, featured media in these exhibits will stimulate new interest and attract additional visitors to BRAC and Oconee County. The publicity will open a door for art enthusiasts to discover what Oconee County has to offer; as visitors coming to the gallery will be exposed to the Historic downtown area of Seneca and the natural wonders of our county. The Center's lobby will have brochures available to all visitors, highlighting upstate activities. These visitors will also patronize restaurants, lodging, and shops in the county.

How many visitors/participants attended the event last year and are anticipated this year? New events; no data available

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? New event; no data available

How many overnight stays were created by this event last year and are anticipated this year? See above response

How do you plan to advertise this event beyond a 50 mile radius of Oconee County?

Website updates, Greenville News, Anderson Independent, Sandlapper Magazine, Carolina Arts publication, Arts Daily, (website of SCAC), Northland Cable ads, Asheville, NC radio and TV, Arts & More, (publication of the SC Heritage Corridor Arts Trail), Laurel Magazine of Highlands and Cashiers, NC.

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) see attached

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What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) records for demographic data include guest log, website hits and phone contacts.

**VII. AUDIT**

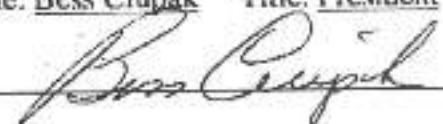
Does your organization perform an independent audit? Yes X No \_\_\_\_\_

Name of the Auditor Peter Cooke

**VIII.** Will your project be using any funds from another group that received ATAX funds? Yes, City of Seneca's Hospitality & Accommodations Tax N/A

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name: Bess Ciupak Title: President

Signature  Date 7/15/07

Address 310 Lake Winds Ct., Seneca, SC 29672

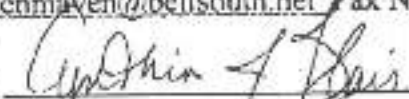
E-mail ciupaks@aol.com Fax No. (864) 882-2722

Phone Number (s) 864-882-9131

B. Alternate Contact: Cindy Blair Title: Grants Chairperson, Secretary

Address 228 Winding Oaks Drive Seneca, SC 29672

E-mail linenmaven@bellsouth.net Fax No. 864-882-3364

Signature  Date 7/15/07

Phone Number (s) 864-882-3364 or 864-973-3921 (cell)

**JURIED PHOTOGRAPHY EXHIBIT  
BUDGET**

	A	B	C	D	E
1	<b>DESCRIPTION</b>	<b>PHOTOGRAPHY</b>			
2					
3	Juror	Total Juror	\$300.00		
4					
5	Awards				
6	1st		\$500.00		
7	2nd		\$250.00		
8	3rd		\$125.00		
9		Total Awards	\$ 875.00		
10					
11	Reception	Total Reception	\$ 400.00		
12					
13	Printing / Postage:			<u>ATAX FUNDING</u>	
14	Call for Entry		\$ 400.00		
15	Postcards		\$ 390.00	390.	
16	Programs/ Inserts		\$ 350.00	350.	
17	Posters / Tags		\$ 50.00	50.	
18		Total Printing	\$ 1,190.00		
19	Ads				
20	Greenville		\$ 300.00	300.	
21	Anderson Independent		\$ 200.00	300.	
22	Carolina Arts		\$ 80.00	80.	
23	Daily Journal		\$ 150.00	1300.	
24		Total Advertising	\$ 730.00		
25					
26					
27		<b>TOTAL BUDGET</b>	<b>\$3,495.00</b>		
28					
29		<b>GRANT APPLICATION REQUEST</b>	<b>\$1,770.00</b>		
30					
31					



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11, 2007  
**COUNCIL MEETING TIME:** 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Blue Ridge Arts Council in the amount of \$1,370.00 for Advertising (Postcards/Programs/Newspaper) the "Fiber Fantasia" Show to communities outside Oconee County and with a regional Arts publication covering both North Carolina and South Carolina. This show will begin October 6 at the World of Energy. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$1,370.00 to the Blue Ridge Arts Council.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council, the remaining balance will be \$17,305.16.

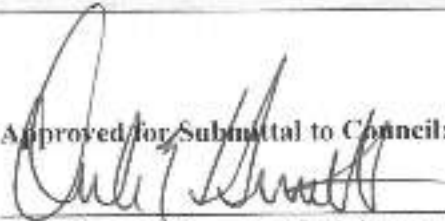
**ATTACHMENTS:**

Blue Ridge Arts Council Grant Request

**Submitted or Prepared By:**

Phil Shirley, PRT Director  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Dale Surret, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

PS Finance

Wte Other Grants

C: Clerk to Council



**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization Blue Ridge Arts Council

B. Address 111 E. South Second St., Seneca, SC 29678

**II. FUNDS REQUESTED**

A. ATAX Funds Requested \$1,370.00

How will ATAX Funds be used? ATAX funds will be used to enhance participation in the upcoming off-site show presented by the Blue Ridge Arts Council. "Fiber Fantasia" will open on October 6, 2007 at the Duke World of Energy. It is our goal to encourage viewers' attendance from communities more than 50 miles away from Oconee County. Advertisement throughout the region in a variety of media, the design, printing and mailing of invitations, show cards, printing of the exhibition catalog, and advertising for the opening reception will be included in the funded activities.

B. Estimated percentage of costs directly attributed to attracting or serving tourists? 20%

D. Funds furnished by your organization: \$400.00

Matching grant \$ \_\_\_\_\_ Source

Other Funding: \$150.00 Source: Seneca HAT

E. Provide an itemized budget for your event **and** for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

*Improper quotes were submitted. New quotes have been requested and will be available at the meeting. ✓*

### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title: Blue Ridge Art Council's "Fiber Fantasia"

B. Description of project: "Fiber Fantasia" features the unique artwork of ten of our most accomplished quilters from the group known as the "Threadheads".

This exhibit is the third in which the Blue Ridge Arts Council and Duke Energy Corp. have partnered to present works of art in their visitors show room at the World of Energy.

Increased advertising throughout South Carolina will draw more artists to Oconee County for the shows. This, in turn, will attract larger crowds of visitors to the gallery to view the show.

C. How will the project influence tourism in Oconee County?

By partnering with Duke Energy, BRAC is able to provide two simultaneous exhibits, therefore providing additional attraction for visitors. Visitors who would normally visit the World of Energy will be introduced to the artwork and BRAC. We will promote each other and this will increase the number of visitors from both the local area as well as from afar. These visitors will utilize restaurants, lodging, and shops in the county.

### IV. DATES OF PROJECT

Beginning October 6, 2007 Ending October 29, 2007

### V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 1970

Eleemosynary Organization under IRS Code: IRS # 23-7360169

Date of Determination Letter October 1974

## VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County: The unique, featured media in this exhibit will stimulate new interest and attract additional visitors to BRAC and Oconee County. The publicity will open a door for art enthusiasts to discover what Oconee County has to offer; as visitors coming to the gallery will be exposed to the Historic downtown area of Seneca and the natural wonders of our county. The Center's lobby will have brochures available to all visitors, highlighting upstate activities. These visitors will also patronize restaurants, lodging, and shops in the county.

How many visitors/participants attended the event last year and are anticipated this year? New events; no data available

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? New event; no data available

How many overnight stays were created by this event last year and are anticipated this year? See above response

How do you plan to advertise this event beyond a 50 mile radius of Oconee County?

Website updates, Greenville News, Anderson Independent, Sandlapper Magazine, Carolina Arts publication, Arts Daily, (website of SCAC), Northland Cable ads, Asheville, NC radio and TV, Arts & More, (publication of the SC Heritage Corridor Arts Trail), Laurel Magazine of Highlands and Cashiers, NC.

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) see attached

---

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) records for demographic data include guest log, website hits and phone contacts.

**VII. AUDIT**

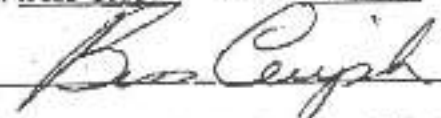
Does your organization perform an independent audit? Yes X No \_\_\_\_\_

Name of the Auditor Peter Cooke

**VIII.** Will your project be using any funds from another group that received ATAX funds? Yes, City of Seneca's Hospitality & Accommodations Tax N/A

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name: Bess Ciupak Title: President

Signature  Date 7/15/07

Address 310 Lake Winds Ct., Seneca, SC 29672

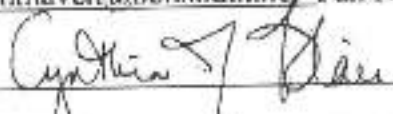
E-mail ciupaks@aol.com Fax No. (864) 882-2722

Phone Number (s) 864-882-9131

B. Alternate Contact: Cindy Blair Title: Grants Chairperson, Secretary

Address 228 Winding Oaks Drive Seneca, SC 29672

E-mail linenmaven@bellsouth.net Fax No. 864-882-3364

Signature  Date 7/15/07

Phone Number (s) 864-882-3364 or 864-973-3921 (cell)

**FIBER FANTASIA EXHIBIT  
BUDGET**

	A	B	C	D	E
1	<b>DESCRIPTION</b>	<b>FIBER FANTASIA</b>			
2					
3					
4	Reception	Total Reception	\$ 400.00		
5					
6	Printing / Postage:				
7	Postcards	\$ 390.00	ATAY Request 390.		
8	Programs/ Inserts	\$ 350.00	350.		
9	Posters / Tags	\$ 50.00	50.		
10		Total Printing	\$ 790.00		
11	Ads				
12	Greenville	\$ 300.00	300.		
13	Anderson Independent	\$ 200.00	200.		
14	Carolina Arts	\$ 80.00	80.		
15	Daily Journal	\$ 150.00	X		
16		Total Advertising	\$ 730.00	1370.00	
17					
18					
19		<b>TOTAL BUDGET</b>	<b>\$1,920.00</b>		
20					
21		<b>GRANT APPLICATION REQUEST</b>	<b>\$1,370.00</b>		
22					
23					
24					
25					

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Blue Ridge Arts Council in the amount of \$1,370.00 for Advertising (Postcards/Programs/Newspaper) the "Tribute Show" to communities outside Oconee County and with a regional Arts publication covering both North Carolina and South Carolina. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$1,370.00 to the Blue Ridge Arts Council.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council; the remaining balance will be \$17,305.16.

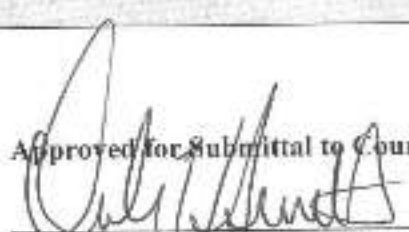
**ATTACHMENTS:**

Blue Ridge Arts Council Grant Request

Submitted or Prepared By:

Phil Shirley, PRT Director  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Surrent, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

pel Finance

vhz Other Grants

C: Clerk to Council

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization Blue Ridge Arts Council

B. Address 111 E. South Second St., Seneca, SC 29678

**II. FUNDS REQUESTED**

A. ATAX Funds Requested \$ \$1,370.00

How will ATAX Funds be used? ATAX funds will be used to enhance participation in the upcoming show at the Blue Ridge Arts Center. "Tribute" featuring Judy Blanchard and Monica Leaning opening November 16, 2007. It is our goal to encourage viewers' attendance from communities more than 50 miles away from Oconee County. Advertisement throughout the region in a variety of media, the design, printing and mailing of invitations, show cards, printing of the exhibition catalog, and advertising for the opening reception will be included in the funded activities.

B. Estimated percentage of costs directly attributed to attracting or serving tourists? 20%

D. Funds furnished by your organization: Tribute = \$400.00

Matching grant \$ \_\_\_\_\_ Source \_\_\_\_\_

Other Funding: Tribute = \$150.00 Source: Seneca HAT

E. Provide an itemized budget for your event and for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

*Improper quotes were submitted. New quotes have been requested and will be available at the meeting.* ✓



### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title: Blue Ridge Art Council's "Tribute"

B. Description of project: "Tribute" features two of Blue Ridge's finest artists, Judy Blanchard and Monica Leaning. The exhibit pays tribute to another artist and friend Lena Massara who died in 2002, and whose work was well known throughout the upstate.

Increased advertising throughout South Carolina will draw more artists to Oconee County for the shows. This, in turn, will attract larger crowds of visitors to the gallery to view the show.

C. How will the project influence tourism in Oconee County?

The featuring of two well-known artists in this exhibit and the increase of advertisement of the show to a wider audience should bring tourists and art enthusiasts from outside Oconee County. Both Judy and Monica have a large following throughout the region; in the Anderson, Pickens and Greenville areas. Increased publicity in those areas as well as in Georgia and North Carolina should increase participation at the exhibit. These visitors will utilize area restaurants, lodging and shops in the County.

### IV. DATES OF PROJECT

Beginning November 16, 2007 Ending January 9, 2008

### V. APPLICANT CATEGORY

Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 1970

Eleemosynary Organization under IRS Code: IRS # 23-7360169

Date of Determination Letter October 1974

## VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County: The unique, featured media in this exhibit will stimulate new interest and attract additional visitors to BRAC and Oconee County. The publicity will open a door for art enthusiasts to discover what Oconee County has to offer, as visitors coming to the gallery will be exposed to the Historic downtown area of Seneca and the natural wonders of our county. The Center's lobby will have brochures available to all visitors, highlighting upstate activities. These visitors will also patronize restaurants, lodging, and shops in the county.

How many visitors/participants attended the event last year and are anticipated this year? New events; no data available

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? New event; no data available

How many overnight stays were created by this event last year and are anticipated this year? See above response

How do you plan to advertise this event beyond a 50 mile radius of Oconee County?

Website updates, Greenville News, Anderson Independent, Sandlapper Magazine, Carolina Arts publication, Arts Daily, (website of SCAC), Northland Cable ads, Asheville, NC radio and TV, Arts & More, (publication of the SC Heritage Corridor Arts Trail), Laurel Magazine of Highlands and Cashiers, NC.

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) see attached

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What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) records for demographic data include guest log, website hits and phone contacts.

**VII. AUDIT**

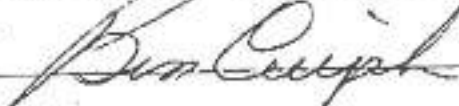
Does your organization perform an independent audit? Yes  No

Name of the Auditor Peter Cooke

**VIII.** Will your project be using any funds from another group that received ATAX funds? Yes, City of Seneca's Hospitality & Accommodations Tax *N/A*

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name: Bess Ciupak Title: President

Signature  Date 7/5/07

Address 310 Lake Winds Ct., Seneca, SC 29672

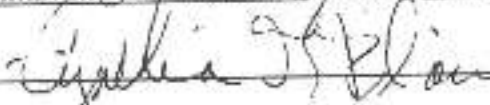
E-mail ciupaks@aol.com Fax No. (864) 882-2722

Phone Number (s) 864-882-9131

B. Alternate Contact: Cindy Blair Title: Grants Chairperson, Secretary

Address 228 Winding Oaks Drive Seneca, SC 29672

E-mail linenmaven@bellsouth.net Fax No. 864-882-3364

Signature  Date 7/5/07

Phone Number (s) 864-882-3364 or 864-973-3921 (cell)

**"TRIBUTE" EXHIBIT  
BUDGET**

	A	B	C	D	E
1	<b>DESCRIPTION</b>	<b>TRIBUTE</b>			
2					
3					
4	Reception <b>Total Reception</b>	\$ <b>400.00</b>			
5					
6	<b>Printing / Postage:</b>		<i>AT&amp;T Request</i>		
7	Postcards	\$                      390.00	390.		
8	Programs/ Inserts	\$                      350.00	350.		
9	Posters / Tags	\$                      50.00	50.		
10	<b>Total Printing</b>	\$ <b>790.00</b>			
11	<b>Ads</b>				
12	Greenville	\$                      300.00	300.		
13	Anderson Independent	\$                      200.00	200.		
14	Carolina Arts	\$                      80.00	<u>80</u>		
15	Daily Journal	\$                      150.00	X 130.		
16	<b>Total Advertising</b>	\$ <b>730.00</b>			
17					
18					
19	<b>TOTAL BUDGET</b>	<b>\$1,820.00</b>			
20					
21	<b>GRANT APPLICATION REQUEST</b>	<b>\$1,370.00</b>			
22					
23					
24					
25					

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

ATAX grant to Blue Ridge Arts Council in the amount of \$1,370.00 for Advertising (Postcards/Programs/Newspaper) the "Get the Lead Out" Show" to communities outside Oconee County and with a regional Arts publication covering both North Carolina and South Carolina. This show will begin in early November and be held at the World of Energy. Request approved in ATAX Committee on 08/29/07 by a unanimous vote.

**BACKGROUND OR HISTORY:**

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION:**

Approval of ATAX grant request of \$1,370.00 to the Blue Ridge Arts Council.

**FINANCIAL IMPACT:**

Current ATAX fund balance is \$42,545.16. We have six ATAX requests this grant cycle. If all six requests are approved by County Council, the remaining balance will be \$17,305.16.

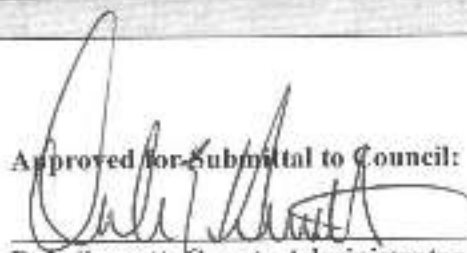
**ATTACHMENTS:**

Blue Ridge Arts Council Grant Request

Submitted or Prepared By:

Phil Shirley, PRT Director  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Surrent, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

Del Finance

WTR Other Grants

C: Clerk to Council

**OCONEE COUNTY ATAX GRANT  
APPLICATION FORM  
FOR TOURISM RELATED PROJECTS**

**I. APPLICANT**

A. Name of Organization Blue Ridge Arts Council

B. Address 111 E. South Second St., Seneca, SC 29678

**II. FUNDS REQUESTED**

A. ATAX Funds Requested \$1,370.00

How will ATAX Funds be used? ATAX funds will be used to enhance participation in the upcoming off-site show presented by the Blue Ridge Arts Council. "Get the Lead Out will open in early November at the Duke World of Energy. It is our goal to encourage viewers' attendance from communities more than 50 miles away from Oconee County. Advertisement throughout the region in a variety of media, the design, printing and mailing of invitations, show cards, printing of the exhibition catalog, and advertising for the opening reception will be included in the funded activities.

B. Estimated percentage of costs directly attributed to attracting or serving tourists? 20%

D. Funds furnished by your organization: \$400.00

Matching grant \$ \_\_\_\_\_ Source \_\_\_\_\_

Other Funding: \$150.00 Source: Seneca HAT

E. Provide an itemized budget for your event **and** for allotted funds. **THIS IS REQUIRED**, attach on a separate sheet.

*Improper quotes were first submitted. New quotes have been requested and will be available at the meeting.*



### III. NARRATIVE PROJECT DESCRIPTION

A. Project Title: Blue Ridge Art Council's "Get the Lead Out"

B. Description of project: "Get the Lead Out" will feature 2 and 3D works of art in pen & Pencil, graphite, iron, and various other metals.

This exhibit will be the fourth in which the Blue Ridge Arts Council and Duke Energy Corp. have partnered to present works of art in their visitors show room at the World of Energy. In addition, BRAC & Duke have invited art partners throughout the upstate to participate in the month long Heritage, Art and Musical Festival which will be operating in concert with the art exhibition. Pickens Art & Museum, the Oconee Heritage Center, the Westminster Chamber of Commerce will all provide entertainment and or cultural offerings during the festival.

Increased advertising throughout South Carolina will draw more artists to Oconee County for the shows. This, in turn, will attract larger crowds of visitors to the gallery to view the show.

C. How will the project influence tourism in Oconee County?

By partnering with Duke Energy, BRAC is able to provide two simultaneous exhibits, therefore providing additional attraction for visitors. Visitors who would normally visit the World of Energy will be introduced to the artwork and BRAC. We will promote each other and this will increase the number of visitors from both the local area as well as from afar. These visitors will utilize restaurants, lodging, and shops in the county.

### IV. DATES OF PROJECT

Beginning November 1, 2007 Ending December 15, 2007

### V. APPLICANT CATEGORY

       Government Entity: \_\_\_\_\_

Non-profit Organization: Incorporation date 1970

Eleemosynary Organization under IRS Code: IRS # 23-7360169

Date of Determination Letter October 1974



## VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County? This unique event will will stimulate new interest and attract additional visitors to BRAC and Oconee County. The publicity will open a door for art enthusiasts to discover what Oconee County has to offer; as visitors coming to the gallery will be exposed to the Historic downtown area of Seneca and the natural wonders of our county. The Center's lobby will have brochures available to all visitors, highlighting upstate activities. These visitors will also patronize restaurants, lodging, and shops in the county.

How many visitors/participants attended the event last year and are anticipated this year? New events; no data available

How many of the visitors/participants were from beyond a 50 mile radius of Oconee County last year and are anticipated this year? New event; no data available

How many overnight stays were created by this event last year and are anticipated this year? See above response

How do you plan to advertise this event beyond a 50 mile radius of Oconee County?

Website updates, Greenville News, Anderson Independent, Sandlapper Magazine, Carolina Arts publication, Arts Daily, (website of SCAC), Northland Cable ads, Asheville, NC radio and TV, Arts & More, (publication of the SC Heritage Corridor Arts Trail), Laurel Magazine of Highlands and Cashiers, NC.

What other documentation can you provide demonstrating this event promotes Tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) see attached

---

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) records for demographic data include guest log, website hits and phone contacts.

**VII. AUDIT**

Does your organization perform an independent audit? Yes X No \_\_\_\_\_

Name of the Auditor Peter Cooke

**VIII.** Will your project be using any funds from another group that received ATAX funds? Yes, City of Seneca's Hospitality & Accommodations Tax *N/A*

*I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project and that all information required for final reporting MUST be detailed when project is complete.*

A. Contact Name: Bess Ciupak Title: President

Signature *Bess Ciupak* Date 7/15/07

Address 310 Lake Winds Ct., Seneca, SC 29672

E-mail ciupaks@aol.com Fax No. (864) 882-2722

Phone Number (s) 864-882-9131

B. Alternate Contact: Cindy Blair Title: Grants Chairperson, Secretary

Address 228 Winding Oaks Drive Seneca, SC 29672

E-mail linenmaven@bellsouth.net Fax No. 864-882-3364

Signature *Cynthia Blair* Date 7/15/07

Phone Number (s) 864-882-3364 or 864-973-3921 (cell)

**GET THE LEAD OUT EXHIBIT  
BUDGET**

	A	B	C	D
1	<b>DESCRIPTION</b>	<b>GET THE LEAD OUT</b>		
2				
3				
4	Reception <b>Total Reception</b>	\$ <b>400.00</b>		
5				
6	<b>Printing / Postage:</b>		<i>ATAK Request</i>	
7	Postcards	\$                      390.00	390.	
8	Programs/ Inserts	\$                      350.00	350.	
9	Posters / Tags	\$                      50.00	50.	
10	<b>Total Printing</b>	\$ <b>790.00</b>		
11	<b>Ads</b>			
12	Greenville	\$                      300.00	300.	
13	Anderson Independent	\$                      200.00	200.	
14	Carolina Arts	\$                      80.00	80.	
15	Daily Journal	\$                      150.00	X	
16	<b>Total Advertising</b>	\$ <b>730.00</b>	1370.	
17				
18				
19	<b>TOTAL BUDGET</b>	<b>\$1,920.00</b>		
20				
21	<b>GRANT APPLICATION REQUEST</b>	<b>\$1,370.00</b>		
22				
23				
24				
25				

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 9/11/07  
COUNCIL MEETING TIME: 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

The Oconee County Rock Quarry and Roads Department request approval to apply for the PalmettoPride FY 2008 Tree Grant Donation Program.

**BACKGROUND OR HISTORY:**

The PalmettoPride grant is administered by PalmettoPride of South Carolina, our State's anti-litter organization. This grant supports the beautification efforts of local governments.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This grant will be used to acquire landscaping materials. The Rock Quarry and Roads Department will be requesting a variety of trees including: Beauty Berries, Red Cedars, Red Buds, River Birches, Red Maples, Silver Maples, Bald Cypress, etc. These will be used to beautify the grounds and maximize dust abatement.

- **Oconee County Rock Quarry and Roads Department**  
PalmettoPride Tree Grant Donation Program  
Local governments are awarded the actual landscaping materials  
There is NO local match required.

**STAFF RECOMMENDATION:**

Approval for the Rock Quarry and Roads Department to apply for the PalmettoPride Tree Grant.

**FINANCIAL IMPACT:**

PalmettoPride Tree Grant Donation Program = Donation of material

NO local match required. If awarded the grant, personnel must travel to Columbia, SC to pick up the plant material.

**ATTACHMENTS:**

Submitted or Prepared By:

Veronda Holcombe-Lewis

Reviewed By/ Initials:

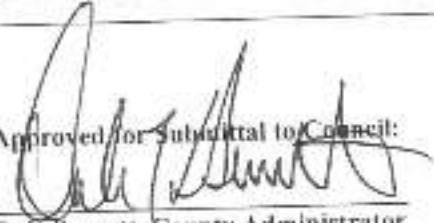
\_\_\_\_\_ County Attorney

pal Finance

\_\_\_\_\_ Other

C: Clerk to Council

Approved for Submittal to Council:

  
Dale Surratt, County Administrator

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: September 11, 2007  
COUNCIL MEETING TIME: 7 pm

**ITEM TITLE OR DESCRIPTION:**

Draft Amendments to the Subdivision Regulations Chapter of the Unified Performance Standards Ordinance

**BACKGROUND OR HISTORY:**

The Planning Commission referred recommendations for private road standards to County Council in 2005. The draft regulations were reviewed by the Council Roads Committee, which referred them back to the Planning Commission with instructions to expand the scope of the provision. During the same period, the Commission took up other issues that resulted in a major review of the entire Subdivision Regulations Chapter. To simplify the process, the Commission dealt with the regulations section by section. As a result, in November of 2006, the Commission forwarded its first recommended changes to Council- a number of amendments to the Roads Standards section. The Council Roads Committee reviewed the changes, and recommended County Council delay adoption of the revisions until the rest of the Commission review was complete. The Commission recently completed its review and, at its August meeting, voted unanimously to forward the attached draft to Council for consideration.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This is the first comprehensive review of the Subdivision Regulations Chapter since being adopted in 2002. Among the more significant recommendations are draft standards for private roads (public road standards are contained in the section already reviewed by the Council Roads Committee), as well as a county-enforced setback of 75' for septic tanks drainfields from surface water. **The Council Roads Committee has already reviewed and approved recommended changes to public road standards.**

**STAFF RECOMMENDATION:**

Refer the draft changes to the Council Planning and Economic Development Committee for review.

**FINANCIAL IMPACT:**

No significant impact anticipated; although some increase in staff workload may occur due to additional inspections performed by the Road Department and Planning, recommended fee adjustments to offset anticipated costs is forthcoming.

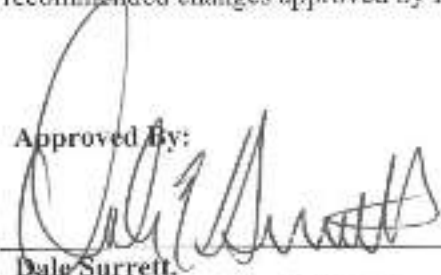
**ATTACHMENTS:**

Copy of Subdivision Regulations Chapter containing recommended changes approved by Planning Commission

Submitted or Prepared by:  
Art Holbrooks

\_\_\_\_\_  
(Department Head/Elected Official)

Approved By:

  
\_\_\_\_\_  
Dale Surrett,  
Oconee County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

\_\_\_\_\_ Other

C: Clerk to Council

The proposed changes to the text have been highlighted in yellow and the proposed deletions have been indicated by a strikethrough.

## **Performance Standards, Chapter 6**

### **6.0 SUBDIVISION AND LAND DEVELOPMENT**

#### **6.1 AUTHORITY AND JURISDICTION**

##### **6.1.1 Authority**

These land development and subdivision regulations are adopted under authority granted by Title VI, Chapter 29 (6-29-1120) et. seq., of the Code of Laws of South Carolina, 1976.

##### **6.1.2 Jurisdiction**

These regulations shall apply to the development and subdivision of land within the unincorporated areas of Oconee County as now or hereafter established and any incorporated municipality which contracts with the Oconee County Council for these regulations to be administered within such municipality. Regulations contained within this ordinance that apply to the construction and maintenance of roads shall apply to all roads and drainage structures, whether public or private, constructed within any unincorporated area of Oconee County and municipalities contracted with the Oconee County Council for administration of these regulations. Regulations contained within this Ordinance that apply to the construction and maintenance of roads, appurtenances or drainage structures shall apply to all public and private roads, drives and driveways in the unincorporated areas of Oconee County; also included shall be all municipalities contracted with the Oconee County Council to administer these regulations. These regulations shall not apply to those roads completed, under construction, or approved (accepted) by Oconee County prior to adoption of this Ordinance by County Council. In the event that a regulation in this ordinance conflicts with any other county regulation, the more stringent standard shall apply.

#### **6.2 PURPOSE AND SHORT TITLE**

##### **6.2.1 Purpose**

The purpose of this ordinance is to protect and promote the public health, safety and general welfare of the citizens of Oconee County,



South Carolina, providing for the harmonious, progressive, and orderly development of land. These regulations are established for the following specific purposes, among others, as provided for in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Section 6-29-1120 of the Code of Laws of South Carolina, 1976, et seq.):

- (1) to encourage the development of an economically sound and stable county;
- (2) to assure the timely provision of required streets, utilities, and other facilities and services to new land developments;
- (3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (4) to assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational educational, transportation, and other public purposes; and
- (5) to assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the County's Comprehensive plan.

#### **6.2.2 Short Title**

This ordinance shall be known and cited as the "Oconee County Land Development and Subdivision Regulations Ordinance".

### **6.3 DEFINITIONS**

When used in the Ordinance, the following words and terms shall have the meaning indicated. Words and terms not herein defined shall have their customary dictionary definitions. The term "shall" is mandatory. When not inconsistent with the content, words used in the singular number include the plural and those used in the plural number include the singular.

- (1) Apartment Complex – A building or portion thereof, other than a hotel, divided into more than two dwelling units which are arranged in such a manner as to be used for lodging by separate households.
- (2) Applicant –The developer or agent of the developer who applies for a subdivision review and is designated as the primary contact for said subdivision.
- (3) Average Daily Traffic – The number of trips made by vehicles that will be utilizing a road, intersection or other reference point in a twenty four (24) hour period.



- (4) Block – A parcel of land entirely surrounded by roads or highways, railroad right-of-ways, waterway, or combination thereof.
- (5) Building Footprint – The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts.
- (6) Building Line – A line beyond which no part of the structure of any building shall project, with the exception of subsurface projection of footings, measured perpendicular to the property line. This includes, but is not limited to, the building, eaves, porches, decks, chimneys, bay windows, and fire escapes.
- (7) Building Permit – A document or certificate issued by Oconee County authorizing construction, enlargement, alteration, moving of, or demolition of a building or structure, or the placement of a mobile home (manufactured housing).
- (8) Cleared or Grubbed Areas – The area within the road right-of-way that is cleared of vegetation.
- (9) Comprehensive Plan - Any legally adopted part or element of the Comprehensive Plan of Oconee County, South Carolina. This plan may include, but is not limited to the Community Facilities, Population, Economic Development, Land Use, Natural Resources, and Housing elements.
- (10) Condominium Complex – A building or group of buildings containing dwelling units in which are individually owned. The structure, common areas, and other facilities are owned by the developer and/or the owners of the individual units on a proportional or individual basis.
- (11) Crosswalk – An area with a width of ten (10) or more feet dedicated for public use, and intended for pedestrian access to adjacent land area.
- (12) Cul-de-sac – A local road (minor) with one end open to traffic and the other end terminated with a planned vehicular turnaround.
- (13) Density – The number of dwelling units or lots per acre of land developed or used for residential purposes.

(A) Low Density – 2 or less dwelling units per acre

(B) Medium Density – From 2.1 to 6.0 dwelling units per acre

(C) High Density – Over 6 dwelling units per acre

Note: High density lots with less than 150 ft. frontage will necessitate special access considerations by the county.

- (13) Developer – An individual, partnership or corporation (or agent therefore) that undertakes the activities covered by these regulations.
- (13a) Development - Any man-made change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.
- (14) DHEC – The South Carolina Department of Health and Environmental Control.

- (15) Dwelling – A building or portion of a building arranged and/or designed to provide living quarters for one or more families where each dwelling is provided with separate kitchen and bathroom facilities.
- (A) Single Family Dwelling – A detached dwelling designed for or occupied exclusively by one family on a single lot.
  - (B) Duplex – A building arranged or designed to be occupied by two (2) families living independently of each other on a single lot.
  - (C) Group Dwelling – A group of two or more principal structures built on a single lot, parcel or tract of land and designed for occupancy by separate families.
  - (D) Multiple Family Dwelling – A building or series of buildings on the same lot used or designed as a dwelling place for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.
- (16) Dwelling Unit – One or more rooms connected together and constituting a separate, independent housekeeping establishment, with provisions for cooking, eating and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.
- (17) Easement – A grant of one or more specific property rights by the property owner permitting a specific use or uses to the ~~to and/or for use by~~ the public, a corporation, or another person or entity. No land is dedicated to the party receiving an easement; only permission to the land for a specific purpose.
- (18) Easement, Private Roadway – an easement that grants access for all utility and roadway construction and maintenance.
- (19) Flood – A temporary overflowing of water onto land that is usually devoid of surface water.
- (20) Flood Plain – Land areas adjoining a river, stream or water course which are subject to a one percent or greater chance of flooding in any given year. These areas are specifically established by the Federal Emergency Management Agency, according to the Flood Insurance Study for Oconee County.
- (21) Full Pond Level – Full pond level is 660 feet above mean sea level on Lake Hartwell, 800 feet above mean sea level on Lake Keowee, and 1110 feet above mean sea level on Lake Jocassee.
- (22) Half Road – A road located so that a cross-section of its width lies on more than one parcel.
- (23) Lake – A considerable inland body of standing water.
- (24) Land Development – The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

- (25) Lot – A single parcel or tract of contiguous land intended as a unit for transfer of ownership, or for building development, or both.
- (A) Lot Area – The total gross area of the lot including easements.
  - (B) Corner Lot – A lot with frontage on at least two intersecting roads located at the point of intersection.
  - (C) Lot Depth – The mean horizontal distance between the front and rear lot lines.
  - (D) Double Frontage Lot – A parcel having frontage on two (2) or more roads which is not located at any intersection of such roads.
  - (E) Lot Width – The horizontal distance between the side lot lines at the building setback line measured parallel with the front lot line or in the case of a curvilinear road measured parallel to the chord of the arc between the intersection of the side lot lines and the road right-of-way line.
- (26) Minor Subdivision – A minor subdivision is any subdivision of a parcel that is reviewed by the county that:
- (A) Results in a total of no more than ten (10) lots, and
  - (B) May or may not involve the construction of a private drive, private road, or public road.
- (27) Mobile Home (Manufactured Housing Unit) – A detached, single family dwelling designed for long-term occupancy, designed to be transported on its own axle and wheels, arriving at the site in sections or a complete dwelling unit, usually including major appliances and furniture, and ready for occupancy. Removal of wheels and placement of a foundation does not change the mobile home classification. A travel trailer is not a mobile home.
- (28) Multi-family Housing – A building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided.
- (29) Natural Vegetative Buffer – Plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides, or pesticides.
- (30) Oconee County Road – Any paved road, gravel road, dirt road or bridge that is owned and/or regularly maintained by Oconee County and considered part of the County road system.
- (31) Open Space Site – A tract of land provided in residential subdivisions to meet the local recreational needs and desires of residents. Such tracts may include play areas, parks, natural woods, open fields and meadows and areas of scenic beauty.

- (32) Owner's Engineer – An engineer registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (33) Owner's Land Surveyor – A land surveyor registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (34) Parking, Off-Street – An area adequate for parking an automobile with room for safely opening doors on both sides, together with properly related access to a public road arranged so that no maneuvering incidental to parking shall occur on any road.
- (35) Perennial Stream – Any creek, river, or other water course that has flowing water year-round.
- (36) Person – Any individual, corporation, company, partnership, organization, utility and/or municipality.
- (37) Planning Commission – The Oconee County Planning Commission and planning staff specifically authorized to carry out certain functions on its behalf.
- (38) Plat – A map or drawing which is an accurate graphical representation of a subdivider's plan for a subdivision.
- (A) Sketch plan – A simple sketch of a proposed subdivision layout showing roads and other principal features. The sketch plan is preparatory to the preliminary and final plats and may enable the subdivider to save time and expense in reaching general agreement as to the form of the plat and the objectives of these regulations.
- (B) Preliminary plan (plat) – A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its working ability in all aspects.
- (C) Final plat (plan) – A drawing which shows the 'as built' proposed layout of all road construction, public utilities, and public facilities ~~subdivision in sufficient detail to indicate its working ability in all aspects.~~
- (39) Potable Water – Water used or treated by a water company or utility to be sold for human consumption.
- (40) Private Driveway – A driveway that provides vehicular access and road frontage to not more than three (3) single family residences.
- (41) Private Drive – A privately owned and maintained right-of-way or an easement that specifically grants the right for utilities and all road work, that provides vehicular access and road frontage to not less than 4 and not more than ten (10) single family residential lots.
- (42) Private Road – A privately-owned and maintained right-of-way that contains a roadway constructed in accordance with these regulations and

provides vehicular access and road frontage to more than ten (10) single-family residential lots.

- (43) Public Road – Roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the State of South Carolina or Oconee County.
- (A) Arterial Road – A major road with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials and from collector streets.
  - (B) Collector Road – A road that typically exceeds 800 ADT's and has the primary purpose of intersecting traffic from intersecting local road and handling movements to the nearest arterial road. A secondary function is to provide direct access to abutting properties. A road that connects local access roads to the highway systems major and high-speed arterial roads. The collector road provides both land access service and traffic service within residential subdivisions.
  - (C) Local Road (major) – A road in which the road typical number of average daily traffic (ADT) ranges from 401 to 800 and contains two or more access points. The primary purpose is to provide access to abutting properties and receiving traffic from minor local roads.
  - (D) Local Road (minor) – A road in which the typical number of average daily traffic (ADT) ranges from 0 to 400 and has the primary purpose of providing access to abutting properties. This road normally terminates in a cul-de-sac, loop or other turnaround, with no more than two access points.

Note: Local roads are separate from other types because they generally carry significant volumes of foot and bicycle traffic and are used by children. Therefore, traffic volumes must remain relatively low in order to provide the necessary safety for residential neighborhoods.

- (44) Road Right-of-Way Width – ~~A strip of land acquired by dedication, prescription, or forced dedication for the purpose of utility installation, utility maintenance, roadway construction, and roadway maintenance.~~ An easement within which utility installation, utility maintenance, road way construction, and roadway maintenance shall occur according to the standards put forth in these regulations.

The following are the required road right-of-ways and minimum road widths allowable:



Arterial Roads:

- Right-of-way 66 to 120 feet (as determined by the county engineer)
- Road widths 28 feet (as determined by the county engineer)

Collector roads:

- Right-of-way 66 feet
- Road widths 24 feet

Major local and/or service roads:

- Right-of-way 50 feet (with eight foot drainage easement)
- Road widths 22 feet

Minor local and/or service roads:

- Right-of-way 50 feet (with eight foot drainage easement)
- Road widths 20 feet

The above widths are driving surface widths and exclude widths added by curb and gutter and/or asphalt valleys.

- (45) Sanitary Sewer – A constructed conduit connected with or as a sewer system for the carrying of liquids and solids other than storm waters to a sanitary treatment facility.
- (46) Setback Line – The line indicating the minimum distance permitted between the road right-of-way line and the building line.
- (47) Sketch Plan – See Plat (plan).
- (48) Storm Sewer – A constructed conduit connected with or as a storm sewer system for the carrying of storm waters to a water source.
- (49) Stream – A flow of water in a channel or bed, such as a brook, creek or river.
- (50) Street – See Public Road
- (51) Subdivider – Any person, firm, corporation owner, agent, developer, or other legal entity who directly or indirectly attempts to subdivide land within the jurisdiction of this ordinance. See also "Developer".
- (52) Subdivision – All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose (whether immediate or future) of sale, lease, or building development; including all division of land involving a new roadway or an alteration in an existing roadway. Also instances in which the further division, relocation of lot lines, or the rearrangement (including combinations of lots) of any lot or lots within a subdivision previously approved or recorded according to law. The alteration of any roadways or the establishment of any new roads within any subdivision previously approved or recorded according to law. A subdivision can include townhouses, condominium complexes, apartment complexes and multi-family housing.

The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivision:

- (A) the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the County;
- (B) the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the County Planning Commission which shall indicate that fact on the plats; and
- (C) the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

(53) Terrain Classifications – Classification of terrain by grade ranges as follows:

- Level – Grade (Slope?) range of 0% to 8%
- Rolling – Grade (Slope?) range of 8.1 to 15%
- Hilly – Grade (Slope?) range of over 15%

- (54) Townhouse – A building or group of buildings containing a dwelling unit or units constructed in a series or group of attached units with property lines separating such units.
- (55) Traditional Septic Systems – A waste disposal system designed for the treatment and disposal of domestic sewage by means of an onsite septic tank and soil absorption system utilizing a traditional drain field. All such stems are subject to the review and approval of the South Carolina Department of Health and Environmental Control.
- (56) Transfer or Sale of Lots – Any means by which the ownership of a property changes hands; including, but not limited to, the purchase or trade of a property subject to a mortgage, the assumption of a mortgage debt by the property purchaser, and any exchange of possession of the property under a land sales contract or any other land trust device.
- (57) Utilities – Utilities shall consist of any and all utility services to a subdivision, including water, sewer, storm sewer, electricity, telephone, cable television, gas, and sanitary sewerage, whether such utilities are supplied by a private individual, private company, authority, or a governmental entity.
- (58) View Lane – The portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.



- (59) Watercourse – Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.
- (60) Yard – A space on the same lot with a principal building open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.
- (A) Front Yard – A yard situated between the front building line and the front lot line extending the full width of the lot.
- (B) Rear Yard – A yard situated between the rear building line and the rear lot line extending the full width of the lot.
- (C) Side Yard – A yard between the side building line and a side lot line that extends from the front yard to the rear yard.

## **6.4 REQUIREMENTS AND STANDARDS**

### **6.4.1 Unapproved Plat Prohibition**

No plat of the subdivision of any land within the unincorporated areas of Oconee County as now or hereafter established, and any incorporated municipality which contracts with the Oconee County Council for these regulations to be administered within such municipality, shall be filed with or recorded by the Oconee County Registry of Deeds until such plat shall have been submitted to and approved by the Oconee County Planning Commission, Planning Director, or designee according to the procedures set forth in the Ordinance. No road or other way or land shall be accepted or maintained, nor shall any water line, sewerage, road lighting or similar improvements extended or connected, nor shall any permit be issued by any department of the County for any or other improvements in any subdivision established hereafter which has not been approved by the Oconee County Planning Department and met such requirements as prescribed by Oconee County Council

### **6.4.2 Survey Standards**

Plats shall be prepared and survey data entered thereon in accordance with the most recent adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the SC Board of Registration for Professional Engineers and Land

Surveyors provided that all elevations information shall refer to Mean Sea Level Datum or other establish datum (a minimum of 2 assumed elevation bench mark). Accuracy of plats and attendant data shall be no less that that required in said manual for Class B Suburban Land Surveys.

#### **6.4.3 Subdivision Name**

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have final approval authority for the name of the subdivision.

#### **6.4.4 Utilities**

When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least thirty six (36) inches. Such lines shall be located a minimum of two feet, outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

#### **6.4.5 Road Signs**

Road name signs shall be installed at all intersections with a subdivision. All other signs shall be installed as required by and at the direction of the County Engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control. The developer shall be responsible for all cost of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of County Council from time to time) prior to acceptance of road by Oconee County. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

#### **6.4.6 Family Transfers**

Subdivision of parcels that results from the conveyance of parcels decded by parents to children, children to parent, sibling to sibling, grandparents to grandchildren or grandchild to grandparent, and does not involve the construction or extension of any road, bridge, or drainage structure to provide access to interior lots, and does not

involve the creation of any new drainage easement, shall be received as information only and approved administratively by the Planning Director.

No consideration, other than a nominal monetary amount and love and affection, shall be paid to the Grantor of subdivisions resulting from family transfers as defined by this section of the ordinance.

#### **6.4.7 Minor Subdivision (Reserved)**

#### **6.4.8 Submission of Road Plans**

Construction plans for roads shall include accurate topographic information with increments of no more than five (5) feet. In addition, all such plans should note the following items: the location and dimensions of all drainage features; routes of surface water drainage for the entire development; a typical cross section of the proposed roadway; road profiles; horizontal and vertical curve designs; right-of-way dimensions; the location of all cuts and fills; finished grade elevation; all necessary erosion control practices; which may include but are not limited to, permanent vegetation, lined or piped ditches or vegetated waterways; and contact information of all interested parties.

#### **6.4.9 Road Alignment and Location**

The direction and pattern of roads shall take advantage of the land contour to eliminate or reduce excessive cutting and filling, and provide roads with reasonable grades.

#### **6.4.10 ~~Signs within Right-of-Way~~**

~~No person shall place a sign within the right of way of an Oconee County road unless said sign is approved in writing by the County Engineer.~~

#### **6.4.11 ~~Sidewalks~~**

~~When a subdivision plans on placing sidewalks within a subdivision, the location and widths of the sidewalks shall be shown on any and all plats and plans. Sidewalks dimensions and construction shall meet all requirements for sidewalks contained in the SCDOT Highway Construction Manual. Sidewalks shall not be located within the road right-of-way. Oconee County shall not accept any road into the County road system that contains a sidewalk within the road right of~~

~~way, unless said road is specifically accepted by the Oconee County Council.~~

#### 6.4.12 Development Review Committee (DRC)

- ~~(1) The Oconee County Development Review Committee is hereby established. The Committee shall consist of the Planning Director, County Engineer, and representatives of other county agencies as appointed by the County Administrator. The Committee shall report to the Oconee County Administrator.~~
- ~~(2) The developer of any subdivision in Oconee County shall submit a site development plan to the Oconee County Planning Department. The Director of the Oconee County Planning Department and the County Engineer shall review the site improvement plan and if it is determined that the subdivision is a minor subdivision as defined by this Ordinance, the Director of the Planning Department and the County Engineer may approve the site development plan without review by the Committee or may refer the plan to the Committee. All other proposed subdivisions must have a site development plan reviewed and approved by the Development Review Committee. All site improvement plans that are referred to the Development Review Committee shall include a traffic impact/road capacity study and may impact analysis on any existing water and sewer infrastructure in the area of the proposed development. The Development Review Committee shall review site improvement plan to determine if the plan complies with this Ordinance. The Committee may consult with a developer as to what additional infrastructure must be included in the project in order for the Committee to approve the site improvement plan. The Committee shall have the authority to approve or disapprove site development plans.~~
- (2) All plans for proposed major subdivisions shall be reviewed by the Development Review Committee for compliance with all adopted Ordinances and Codes of Oconee County.
- (3) If the Committee determines that a proposed development will increase the average daily traffic (ADT) on a public road owned or maintained by the County to the extent that said road will need to be upgraded in order to beneficially accommodate the increase of traffic in accordance with the criteria set forth in this Ordinance, the developer of the proposed land development shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade said road. The Development Review Committee may also require additional right-of-way and additional road width for the construction of turn lanes and

- fire lanes for use by emergency vehicles as part of the approval process of the site improvement plan.
- (4) The Development Review Committee may establish and publish minimum requirements consistent with this ordinance for approval of site development plans.
  - (5) All exempt and minor subdivisions may be approved administratively by the Planning Director.

## **6.5 LOT IMPROVEMENTS**

### **6.5.1 Lot Arrangements**

All lots shall be arranged such that there will be no apparent difficulties in securing driveway encroachment permits or building permits for reasons of topography or other conditions and must have driveway access from an approved road. ~~The developer shall assure compliance with Chapter 6 (Subdivision and Land Development Regulations) of the County Performance Standards.~~ The developer shall be liable for all lots within proposed subdivision.

### **6.5.2 Lot Dimensions**

Except where circumstances such as topography, water courses, road alignment or existing site boundary configurations dictate otherwise, the following requirements shall be effective:

- (1) Dimensions of corner lots shall be large enough to allow for the erection of buildings observing the minimum yard setbacks from both streets, without encroaching into side and rear yard setbacks, established in the building line section of this chapter.
- (2) Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for off-street parking and loading facilities required for that type of development, without encroaching into yard setbacks.

### **6.5.3 Lot size**

Minimum lot size shall be .57 acres (approximately 25,000 square feet) with traditional onsite septic tanks served by public water, unless DHEC requires greater area or dimensions. Calculated area shall not include right-of-ways or specified easements.

#### **6.5.4 Building Lines**

Single family residential building setback lines shall be: Front Yard twenty five (25) feet from the closest edge of the right-of-way on lots abutting local roads and forty (40) feet from the right of way on lots abutting collector roads. Side Yard setback of ten (10) feet from each property line or right-of-way and Rear Yards setback of twenty five (25) feet from the rear property line or right-of-way except for those abutting collector roads, which shall have a setback of forty (40) feet.

#### **6.5.5 Double Frontage Lots and Access to Lots**

- (A) Every lot shall have at least twenty five (25) feet of frontage on a public or private road.
- (B) Double Frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential traffic from traffic arterials or to overcome specific disadvantages of topography and orientation.
- (C) Lots shall not in general derive access exclusively from arterial and collector roads. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial and collector roads.

#### **6.5.6 Usable Area**

All lots adjacent to flood plains, creeks, and wetlands should use these natural features as lot boundaries when possible. Lots containing areas unsuitable for usage shall not use these areas in calculating minimum lot area.

#### **6.5.7 Septic System Setback**

- A. Traditional septic systems shall be constructed so that the extreme extent of the proposed leaching area's outside edge shall be no closer than one hundred (100) linear feet from any existing or proposed well; seventy-five (75) linear feet from the ordinary high water (within the banks) elevation of any impounded or natural body of water, to include lakes, ponds, rivers and streams; five (5) linear feet from all lot lines; and ten (10) linear feet from any proposed or existing structure. In the case of a mound septic system, the toe of the mound shall be considered to be the edge of the leaching area.
- B. The applicant shall provide the Planning Director a copy of all South Carolina Department of Health and Environmental Control (DHEC) permit drawings and an approved DHEC permit application for the proposed septic systems utilized within the



development. ~~The Planning Director shall ensure that the septic system is installed in accordance with these drawings and the subdivision and land development regulations put forth in the Geenee County Unified Performance Standards Ordinance (199-14).~~

- C. The ~~applicant~~ developer must demonstrate to the Planning Director that the proposed development will not adversely affect the present water table and the existing water supplies; and also demonstrate that the proposed water supply system will not be adversely affected by existing septic systems.

#### **6.5.8 Lot Drainage**

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to prevent concentration of storm water from each lot to any adjacent property. Drainage systems used to control water on one property shall not increase the water flow on adjacent properties without legal easements.

#### **6.5.9 Lakes and Streams**

If a tract being subdivided contains a water body, or portion thereof, the ownership of and the responsibility for safe and environmentally compliant maintenance of the water body is to be placed so that it will not become a local government responsibility. The minimum area of a lot required under this ordinance may not be satisfied by land that is under water. Where a watercourse other than storm drainage separates the lot's buildable area from the road providing access, an engineer's certified structure shall be provided linking the buildable area to the road. All watercourses shall remain free of obstructions and degradations.

#### **6.5.10 Easements**

Easements having a minimum width of (10) feet and located along the side or rear lot lines shall be provided as required for utilities and drainage.

#### **6.5.11 Entrances**

One entrance is required for every one-hundred (100) lots in a proposed subdivision, or a maximum of one-hundred (100) lots on a dead end road with a cul-de-sac. This requirement may be waived by



the Planning Director due to topography and feasibility. Every effort shall be made to not have an entrance directly onto an arterial road.

#### **6.5.12 Vegetative Buffers**

The approval of subdivisions, site plans and/or building permits for construction of new residential units or commercial projects to be located within one thousand (1000) feet of Lakes Keowee, Hatwell, and Jocassee shall be contingent upon the establishment of a natural vegetative buffer of a width of less than twenty-five (25) feet, with a view land width of no more than 15% of the total length of a natural vegetative buffer. The buffer shall meet the following standards:

- (A) To reduce non-point source pollution, a natural buffer of twenty-five (25) feet shall be maintained with no grasses or ornamental vegetation established within that buffer. To reduce non-point pollution a vegetative buffer of twenty-five (25) feet measured horizontally from the full pond elevation shall be maintained with no manicured laws or other managed grasses established within that buffer. A diverse mix of native plants and unmanaged (uncut below twelve (12) inches and untreated) native grasses are preferred vegetation where available and suited to the site. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the twenty-five (25) foot buffer area. Right-of-way maintenance activities by utilities shall be exempt.
- (B) No trees larger than six-inch caliper at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist.
- (C) Trees may be limbed up to 50 percent of their height.

This regulation shall exempt projects that: are located on parcels lying no closer than twenty-five (25) feet from a lake shoreline or are located on parcels that are not traversed, either in full or in part, by a perennial stream, designed wetland, or other water course within one thousand (1000) feet of Lakes Keowee, Hartwell, and Jocassee. The buffer shall begin at the lake's full pond level.

### **6.6 BLOCKS**

#### **6.6.1 Residential Block Length**

In order that there may be convenient access between various parts of a subdivision and in order to help prevent traffic congestion and undue inconvenience, the length of blocks hereafter established

should not exceed eighteen hundred (1,800) feet and shall not be less than six hundred (600) feet; provided, however, that such length may be modified when appropriate due to the topography or physical shape of the property being subdivided.

#### **6.6.2 Residential Block Width**

Blocks shall have sufficient width to allow two (2) tiers of lots. Blocks may be one lot in depth at the boundary of the subdivision, or where single-tier lots are required to separate residential development from through vehicular traffic or nonresidential uses.

### **6.7 STANDARDS**

#### **6.7.1 Private Driveways, Drives and Roads**

##### **Private Driveways**

Private driveways shall serve no more than three (3) residential housing units, and shall be maintained by the property owner(s). No design standards shall apply to private driveways.

##### **Private Drives**

All private drives existing and in use at the time of adoption of these regulations, as well as those private drives under construction prior to the time of adoption, shall be exempted from the standards contained in this section. This exemption shall also extend to those private drives approved by the Planning Department prior to the time of adoption. All other private drives shall:

- (A) serve no more than ten (10) lots or housing units;
- (B) have a minimum road right-of-way of fifty (50) feet, or an appropriately executed private roadway easement as defined by these regulations;
- (C) have an appropriate encroachment permit from either Oconee County or the South Carolina Department of Transportation;
- (D) have a minimum driving surface width of twenty (20) feet constructed of no less than four (4) inches of compacted crushed stone or gravel base; a minimum height clearance of thirteen and one-half (13½) feet; and appropriate documentation from a professional engineer licensed by the State of South Carolina certifying the maximum weight limit of any bridge or culvert located along the

drive. All bridges or any culvert over which a private drive crosses a perennial stream must include appropriate signage (located at each end of the bridge) displaying the structure's weight limits;

- (E) be maintained by an individual, association of property owners, or commonly held by the property owners fronting the private drive;
- (F) comply with all current fire regulations and codes;
- (G) private drives shall serve no more than ten (10) housing units, and shall connect to another road, either public or private, on one end only. In the event proposed construction and/or development will result in an existing private drive serving eleven (11) or more housing units, the existing drive shall be upgraded so as to meet the standards put forth in these regulations for private roads;
- (H) be named in accordance with adopted E-911 Addressing regulations and procedures;
- (I) allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of three and one-half (3½) feet to an object four and one quarter (4¼) feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management Manual.

Insert drawing – supplied by County Engineer

If the proposed drive does not meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;

- (J) meet all applicable storm water management and sediment control regulations;
- (K) parcel boundaries shall extend to centerline of the road, with the appropriate road right-of-way shown on all plats and deeds;
- (L) be approved in writing by Planning Commission or designated staff prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAYS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL ADOPTED OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF \_\_\_\_\_."

(M) Signage shall comply with the Manual for Uniform Traffic Control Devices.

#### **Private Roads**

Private roads shall provide vehicular access and road frontage to developments, or sections of developments, containing more than ten (10) ~~single-family residential lots~~ housing units. All private, non-dedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Maintenance arrangements for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded. The development served by a private road shall have direct access into a public road, and no such private road shall be laid out so as to serve property outside the development. All private roads shall:

- (A) serve a minimum of eleven (11) lots;
- (B) have a minimum road right-of-way width of fifty (50) feet;
- (C) be constructed in accordance with the regulations set forth in section 6.8 of these regulations;
- (D) be maintained by an association of property owners as designated on all plats and recorded in appropriate deed covenants and restrictions, or an appropriately executed private roadway easement as defined by these regulations;
- (E) be legally certified for compliance by a surveyor/engineer licensed by the State of South Carolina;
- (F) be named in accordance with adopted E-911 Addressing regulations;

- (G) parcel boundaries shall extend to the centerline of the road, with the appropriate right-of-way designated on all plats and deeds;
- (H) meet all storm water management and sediment control regulations;
- (I) be properly approved in writing by Planning Director prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s)

“THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE \_\_\_\_\_.”

- (J) have installed signs that control the traffic flow in a safe manner as specified by standards in the Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements of Section 6.8 Public Roads of the Subdivision and Land Development Ordinance.

SECTIONS 6.8-6.11

Approved by Planning Commission:  
10-30-2006

Council referred 6.8-6.11 to Road Committee:  
11-07-2006

Approved by Road Committee and sent back to Council:  
11-21-2006

Council is waiting on complete document before proceeding with  
these sections.

## **6.12 DRAINAGE AND STORM WATER**

### **6.12.1 General Requirements**

In most cases the land disturbance permit required by DHEC will have considered the information needed for compliance with this section. However, Oconee County will review the information to ensure that all storm water runoff will be removed from proposed developments in perpetually maintained drainage systems designed to avoid damage to personal property. The Planning Director shall not approve any subdivision plan which fails to make adequate provision for storm or flood water runoff channels or basins. Storm water drainage systems shall be separate and independent of any sanitary sewer system. Inlets shall be provided so that surface water is not carried across or around any road intersection except where routing around of small volumes is approved in writing by the County Engineer.

### **6.12.2 Nature of Storm Water Facilities**

The applicant may be required by the Planning Department or County Engineer to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with accepted engineering standards and specifications as approved by the County Engineer. All swales, ditches, or other open drainage shall be constructed and established to minimize erosion as approved by the County Engineer.

### **6.12.3 Accommodation of Upstream Drainage Areas**

The owner's engineer shall determine, certify, and design drainage facilities that are large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision.

### **6.12.4 Effect on Downstream Drainage Areas**

The Owner's Engineer shall study and provide the Planning Director and County Engineer with sufficient data proving that there are no adverse impacts on existing downstream drainage facilities outside the area of the subdivision. Where it is determined that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Director may



withhold approval of the subdivision until provision has been made for the improvement of said potential condition.

#### **6.12.5 Floodplain Areas**

Floodplain areas shall be noted on all plans and plats for proposed development, and shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material, or stumps, unless explicitly permitted by DHEC, or other appropriate state agency. All construction activity within development shall comply with standards of Oconee County Flood Plain Ordinance.

- (A) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement of drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose and to accommodate maintenance equipment and activities. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow. The Planning Department will review the information required by the DHEC land disturbance permit to ensure the intentions of 6.12 are met.
- (B) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on all plans and plats. Drainage easements shall be carried from the road to a natural watercourse or to other approved or adequate drainage facilities.
- (C) When a proposed drainage system will increase the maximum flow of water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (D) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, included in areas for dedication, shall be preserved and retained in their natural state as drainage ways except where improvements such as grassing, walkway, and playground areas are specifically approved by the Planning Director.
- (E) All rights-of-way shall contain a permanent drainage easement for all water runoff from the road right-of-way as deemed necessary by the County Engineer. It shall be the responsibility of the

owner/developer to acquire any necessary drainage easements from private landowners.

## **6.13 Water Facilities**

### **6.13.1 General Requirements**

- (A) Where a public water main is within one thousand (1000) feet of a subdivision boundary, the developer shall connect thereto and install adequate central water facilities. Where the accessible public water main is six (6) inches or greater in diameter, distribution lines shall be at least six (6) inches in diameter. In the event that the water supplier certifies the existence of insufficient water pressure to provide service to six (6) inch distribution lines to the site, the Planning Director shall permit appropriate reductions in the diameter of distribution lines. In cases along permanent cul-de-sacs or circles less than one thousand (1000) feet in length, a minimum diameter of two and one-half (2½) inches is permitted.
- (B) Water distribution systems shall be approved by the designated utility entity and the appropriate division of DHEC.
- (C) The location and design of all water system improvements shall be shown on the preliminary plan, and the cost of installing same shall be included in any bond to be furnished by the developer.
- (D) All utility lines shall be located a minimum of two (2) feet outside of road surface areas at the edge of the rights-of-way and shall be buried at a depth of at least thirty six (36) inches. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.

### **6.13.2 Individual Wells and Central Water Systems**

If a public water system is not available, wells may be used or a package central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Central water systems shall be approved by the appropriate division of DHEC. Orders of approval shall be submitted to the Planning Department.

### **6.13.3 Fire Hydrants**

Fire hydrants shall be required for all subdivisions except where individual wells are used or a water main of less than six (6) inch diameter is permitted, and shall be located as defined in the adopted

fire code and shall be approved by the applicable fire protection entity. In the event no adequate water supply is available, alternative methods of fire protection may be approved by appropriate fire officials, provided such measures are provided for under adopted fire code. ~~Fire hydrants shall be located within one thousand (1000) feet of any structure or building site and shall be approved by the applicable fire protection entity.~~ To avoid future road cutting, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed and approved before any final paving of a road shown on the subdivision plat. ~~In the event that the water supplier certifies the existence of insufficient water pressure to adequately supply fire hydrants, this requirement shall be waived.~~

#### 6.14 WASTEWATER FACILITIES

- (A) Where a public sanitary sewerage system is reasonably accessible and available, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.
- (B) Sanitary sewer shall be designed and installed to the design standards and specifications of the city, county, or public service district into whose sewer system the subdivision is connecting and all design standards and specifications of the appropriate DHEC division.
- (C) Where public sanitary sewerage systems are not reasonably accessible or available, package, central or individual waste collection/treatment systems may be provided. These systems must be approved by the appropriate division of DHEC prior to approval of any preliminary subdivision plan.

#### 6.15 NONRESIDENTIAL SUBDIVISIONS

**General** – If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes the layout of the subdivision, shall incorporate such provisions and facilities as the Development Review Committee Planning Commission may require based on case by case consideration of nature, type, and mix of anticipated development.

**Standards** – In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and

takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (A) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.
- (B) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
- (C) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.
- (D) Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- (E) Roads carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

#### **6.16 SECURITY IN LIEU OF COMPLETION OF IMPROVEMENT**

In lieu of the completion of the physical development and installation of the required improvements prior to the final plat approval, Oconee County may accept a financial guarantee in the form of cash, bond, or escrow letter of credit with an approved financial institution, in an amount and with conditions satisfactory to it, securing to the County the actual construction and installation of such improvements and utilities within a period specified by the County Engineer.

- (A) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements he may file a performance of surety bond executed by a surety company licensed to do business in the State of South Carolina, in an amount equal to one hundred twenty five percent (125%) of the owner's engineer (and verified by the County Engineer) estimated cost to complete the improvements. The bond shall guarantee the completion of all improvements within a time prescribed by the Planning Director.
- (B) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements, he may establish an escrow account with the County into which the subdivider shall place, prior to the sale of any lot in the subdivision, an amount equal to one hundred twenty five percent (125%) of the owner's engineer (verified by the County Engineer) estimated cost to complete the improvements. Fund in such escrow account shall be

returned to the subdivider shall complete all improvements within time limits prescribed by the County Engineer. The final determination for returning the escrowed money to the developer rests with the County Engineer.

- (C) In the event that required improvements are not completed, inspected and approved within the required time, the County may expend escrowed funds, securities, or performance bond funds to complete the required improvements. The Planning Director may also at his discretion withhold building permits or occupancy permits in such subdivision until such improvements are completed. In which case, it shall then be unlawful to sell any further lots in the subdivision until all improvements are completed. No occupancy permits shall be issued within the subdivision, unless street improvements are at least adequate for vehicular access by the prospective occupant(s) and by the emergency vehicles and personnel.
- (D) No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two (2) lots of a subdivision, until all public improvements required by the County Engineer for the subdivision have been fully completed and the County has accepted the improvements. The developer must submit all final plans and plats at this time.
- (E) The developer shall be required to maintain all required public improvements on the individual subdivided lots, if required by the Planning Director, until acceptance of the improvements by the appropriate utility or government entity. If there are any certificated of occupancy on a street not dedicated to the County, the County may on twelve (12) hours notice effect emergency repairs and charge those costs to the developer. Following the acceptance of a road by the County Council, the Council may in its sole discretion require the subdivider to maintain the improvement for a period of three (3) years from the date of the acceptance.
- (F) Surety bonds will be returned to the developer following delivery of all as-built drawings to the County Engineer, and after acceptance of all improvements by the County.

## 6.17 PLAN REQUIREMENTS

### 6.17.1 **Basic Sketch Plan (Optional Requirements for Developments less than twenty (20) units with no proposed roads)**

- (A) The Sketch Plan shall be drawn to show the approximate layout the proposed subdivision and its relationship to the surrounding area.
- (B) Sketch Plans are informal, exploratory examinations of a proposed idea. The Planning Director will review the proposed



layout and discuss any issues with the subdividing and may require a detailed sketch plan to be submitted.

**6.17.2 Detailed Sketch Plan**

- (A) The Sketch Plan shall be drawn at an approximate scale of not less than two hundred (200) feet to one inch and shall include a Vicinity Map at a scale of not less than two (2) miles to one (1) inch showing the relationship of the proposed subdivision to the surrounding areas.
- (B) All Sketch Plan Submittals shall include the following in sketch or narrative form:
  - (1) An accounting of total acreage in the tract to be divided and number of lots proposed;
  - (2) Arrangement, shape, dimensions, and area of proposed lots;
  - (3) Location of existing property lines, easements, road right-of-ways, buildings, or other public ways adjoining the tract to be subdivided;
  - (4) Alignment, right-of-way width, and clarification of proposed roads;
  - (5) Topography by contour at intervals of not more than twenty feet (as from USGS quad sheets);
  - (6) Map scale, north arrow, and date;
  - (7) Name/address/telephone number of legal owner or agent and the professional (surveyor or engineer) who will undertake detailed subdivision layout and improvements design;
  - (8) Location of water courses and land subject to flooding based on a one hundred (100) year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
  - (9) The existing and proposed uses of land throughout the subdivision;
  - (10) Proposed method of water supply and wastewater treatment and other utility service;
  - (11) The proposed name of the subdivision.

**6.17.3** A subdivider shall submit a Sketch Plan of this entire tract even though the subdivider's present plans call for the actual development of only a part of the property.

**6.17.4** Prior to sketch plan submittal, the subdivider is encouraged to interact with the County Soil and Water Conservation District to obtain soil

survey information and written site evaluation comments to be included as part of the sketch plan submittal.

## **6.18 PRELIMINARY PLAN AND SUPPORTING DATA**

**6.18.1** The preliminary plan shall be drawn at a scale of two hundred (200) feet to one (1) inch or greater, and shall include a vicinity sketch at a scale of not less than one (1) inch = two (2) miles. Sheet sizes should be 815" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36". This map and supporting data shall be prepared according to standards set forth in this ordinance and shall contain the following sections: General, Existing Conditions and Proposed Conditions.

### **6.18.2 General**

- (A) The proposed name of the subdivision, name/address/telephone of owner and/or subdivider, and name/address/telephone of surveyor and/or engineer.
- (B) A graphic scale, north arrow and date (north arrow shall be identified as magnetic, true, or grid).
- (C) The acreage to be subdivided.
- (D) The boundaries of the tract to be subdivided with all bearings and distances indicated.

### **6.18.3 Existing Conditions**

- (A) Certification from the Planning Director that the proposed use is in conformance with the Oconee County Performance Standards Ordinance.
- (B) Deed record names of adjoining property owners or subdivisions.
- (C) Location of streams, lakes, and land subject to one hundred (100) year flood on or adjoining the property to be subdivided.
- (D) Location of adjoining property lines and existing building on the property to be subdivided.
- (E) Location and right-of-way of roads, railroads, and utility lines either on or adjoining the property to be subdivided.
- (F) Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within the site and adjoining the tract.
- (G) The acreage of each drainage area affecting the proposed subdivision.
- (H) Topography by contour, using USGS Quad maps.
- (I) Elevations shall refer to sea level or assumed elevation with a minimum of 2' bench mark near the site.
- (J) Location of city and county line, if applicable, and a statement identifying the location of the nearest central water and sewer



lines and fire department and the distance from same to the tract being subdivided.

#### **6.18.4 Proposed Conditions**

- (A) Layout of roads including all right-of-way, public crosswalks, road names or designations, grades, and cross sections.
- (B) Profile of proposed roads showing natural and finished grades.
- (C) Layout of all lots, including area; building setback lines, scaled dimensions of lots; lot and block numbers, utility easements with width and use.
- (D) Where individual septic waste disposal is proposed, a preliminary letter of approval from the appropriate division of DHEC.
- (E) Construction Plan of sanitary sewers (if applicable) with grade, pipe size, and location and permit to construct from DHEC and approval of the appropriate utility provider.
- (F) Storm sewers shall be sized to accommodate runoff based upon the 10-year design storm except road crossings shall be a minimum of 25-year design storm.
- (G) Construction Plan for water supply system (if applicable) with pipe size and location of hydrants and valves and permit to construct from DHEC and, where applicable, approval of the appropriate utility provider.
- (H) Designation of all land to be reserved or dedicated for public use.
- (I) Designation of proposed use of all lots.
- (J) Proposed major contour changes in areas where substantial cut and/or fill is to be done.
- (K) Total number of lots, total acreage, total length of new roads.

NOTE: Refer to survey requirements

#### **6.19 FINAL PLAT**

If the Final Plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the several sections. Final plats shall be drawn at a scale of no less than one hundred (100) feet to one (1) inch; shall be drawn on sheets 8.5" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36"; shall be prepared according to standards set for the in this ordinance; and shall contain the following specific information.

- (A) Name of owner of record.
- (B) Name of subdivision and identification number assigned, date, north arrow, and graphic scale.
- (C) Name, registration number, and seal of registered surveyor.

- (D) Sufficient surveying data to determine readily and reproduce accurately on the ground the location, bearing, and length of every road line, lot line, easement, boundary line, and building line whether curved or straight. Curve boundaries will be defined by curve data to include the radius, delta angle, total area, length and the long chord by bearing and distance and shall also be defined as a traverse of chords around the curve using bearings and distance.
- (E) Names of owners of record of all adjoining land, all property boundaries, water courses, roads, easements, utilities and other such improvements, which cross or form a boundary line of the tract being subdivided.
- (F) Exact boundaries of the tract of land being subdivided as noted in the survey article of this Ordinance.
- (G) Roads, rights-of-way, percent of grades and road names. Steel or iron rods at least twenty inches long and one half inch in diameter shall be placed at all lot corners and at all other survey points not marked by permanent monuments. Property lines extending to road centerlines shall be marked by an iron stake on all offset with location clearly shown on the plat and selected so corners lie on a line of survey or a prolongation of such lines.
- (H) Rights-of-way or easement; location, widths, and purposes.
- (I) Lot lines, minimum building setback lines, and lot and block indicators.
- (J) Any parks, school sites, or other public spaces.
- (K) All dimensions shall be to the nearest one hundredth (1/100) of a foot and angles to the nearest twenty (20) seconds.
- (L) Accurate description of the location of all monuments and markers.
- (M) Utility easements, showing the widths of the following: (1) water, (2) gas, (3) sanitary sewer, (4) storm drainage, and (5) electrical line.
- (N) Where individual septic waste disposal is proposed, a letter of final subdivision approval from the appropriate division of DHEC identifying each lot for which individual waste disposal is approved. Areas or lots not so approved shall not be included on the final plat unless restricted to prohibit construction of building space thereon by such notation as "reserved exclusively for open space", etc.
- (O) The following certificates shall appear on the Final Plat which is submitted to the Planning Commission by the subdivider:

- 1) Certificate of Accuracy (signed when submitted)

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Oconee County Land Development and Subdivision Regulations and the monuments shown have been placed to the specifications set forth in said regulations.

Registration No. \_\_\_\_\_  
Registered Land Surveyor

- 2) Certificate of Ownership and Dedication (signed when submitted)

It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all roads, alleys, walks, parks, and other sites to public or private use as noted.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Owner  
\_\_\_\_\_  
Owner

- 3) Certificates of Construction (one or both as applicable/signed when submitted)

I hereby certify that the roads and drainage system, in \_\_\_\_\_ Subdivision as shown on Plat dated \_\_\_\_\_, prepared by \_\_\_\_\_ have been installed substantially in accordance with the Preliminary Plan (Construction Drawings) approved \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Registered Engineer or Surveyor  
I hereby certify that central ( ) water ( ) sewer systems in \_\_\_\_\_ Subdivision as shown on Plat dated \_\_\_\_\_, prepared by \_\_\_\_\_, have been installed in accordance with Preliminary Plat (Constructed drawings) approved \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Registered Engineer or Surveyor

- 4) Certificate of Approval (to be signed upon approval)

The subdivision plat hereon has been found to comply with the Oconee County Land Development Regulations and has been approved for recording in the office of the Clerk of Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Director

- 5) Acceptance of roads and public easements by County Council
- (P) Where the improvements required in Chapter 6 have not been completed prior to the submission of the Final Plat for approval, approval of the plat shall be subject to the owner filing a Performance Guarantee in the form of cash and/or surety with the County Engineer as per Section 6.15.
- (Q) A DHEC approved Storm Water Pollution Prevention Plan (SWPPD).

## **6.20 SUBDIVISION APPROVAL PROCEDURES**

### **6.20.1 Sketch Plan Review**

- A. A subdivider shall submit sketch plan copies and application forms in quantities specified by the Planning Director. The Planning Director shall obtain input from the County Engineer and affected agencies and shall provide comments in the form of a composite list to the subdivider within fifteen (15) working days of sketch plan submitted.
- ~~B. If the subdivider disagrees with comments provided, the subdivider may request review by the Planning Commission in accordance with the Oconee County Planning Commission Rules of Procedure, provided the Planning Director is notified in writing of such request at least five (5) working days prior to any regular Commission meeting. If Commission review is not requested, then changes necessary to accommodate sketch plan comments shall be a condition precedent to acceptance of a preliminary plat submitted.~~
- C. In reviewing a sketch plan and sketch plan comments, the Planning Commission may affirm such comments or modify them to the extent as such modifications do not depart from the provisions of these adopted regulations.

### **6.20.2 Preliminary Plan (Required)**

- A. **Submittal** – A subdivider shall apply for preliminary plan approval on forms specified by the Planning Director. Applications shall be accompanied up to six (6) copies of the preliminary plan and other required exhibits in amounts required by the Planning Director, along with the application fee established by County Council.
- B. **Distribution** - The Planning Director shall ~~distribute copies to at least the following agencies for input unless written approval by such agency accompanies the application~~, notify all appropriate review agencies for comments. These may include, but are not limited to the following:
- 1) Appropriate division of DHEC
  - 2) Soil and Water Conservation Office
  - 3) Appropriate public service district or city as applicable
  - 4) County Public Works Department
  - 5) Appropriate fire protection entity
  - 6) County Engineer
  - 7) Oconee County Sewer Commission
  - 8) Oconee County School District
- C. **Deadlines** - In an effort to achieve balance between the need for thorough review and timely response, the following deadlines are required.
- 1) The Planning Director shall render a decision within twenty five (25) working days of the date of preliminary plan application. The Planning Director's action and reasons therefore shall be transmitted in writing to the subdivider.
  - 2) Agencies and departments shall provide written comments to the Planning Director within fifteen (15) working days of the date of the preliminary plan application.
- D. **Appeal** – A subdivider, or other party materially affected by the Planning Director's decision, may appeal for review by the Planning Commission. Such appeal shall detail the reasons therefore, and be made in writing within ten (10) working days of the Planning Director's action. Affected parties shall be notified in writing of the Planning Commission's determination. The Planning Commission's decision may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.
- E. **Effect of Action** – If a plan is approved subject to conditions, the subdivider shall submit plan exhibits amended to incorporate such conditions within twenty (20) working days of such approval. Preliminary plat approval shall be effective for one (1) year provided the Commission may extend same for up to one (1) additional year

upon written request from the subdivider. It shall be unlawful for construction to commence prior to final preliminary approval of the plan as defined in this ordinance.

- F. **Variance** - ~~Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with the provisions of this chapter, it may approve variances to these land development/subdivision regulations. Variances shall be decided considered by the Planning Commission pursuant to Section 1.5.5(3) of this ordinance General Criteria for Granting a Variance and conducted in a manner consistent with standards put forth in Oconee County Planning Commission Rules of Procedure. Applications for a variance shall be submitted through the Planning Director to the Planning Commission no later than five (5) days before the next scheduled regular meeting of the Planning Commission and shall be scheduled for hearing at that meeting or as early as is practicable for the Commission and applicant. Administrative and/or advertising fees as established by County Council shall accompany each application.~~

#### 6.20.3 FINAL PLAT (REQUIRED)

- A. **Submittal** - ~~A subdivider shall apply for final plat approval on forms specified by the Planning Director. Application shall be accompanied by a reproducible version of the final plat meeting requirements of Section 6.18 and in substantial conformance with the approved preliminary plat. Final plat application may include all or any logical part of a subdivision for which preliminary approval was granted, provided all required improvements have been installed and certified to, or the application is accompanied by required performance guarantee in lieu of actual installation. Final plat application shall include all parts of a subdivision for which preliminary approval was granted, and shall contain documentation that all required improvements have been installed and certified to. Final plat applications may be considered, at the discretion of the Planning Director, if accompanied by the required performance guarantee in lieu of actual installation.~~
- B. **Review** - Upon a determination that the final plat application is completed; the Planning Director shall render a written approval or rejection. Said decision shall be made within thirty (30) working days of application submittal.
- C. **Appeal** - A subdivider or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten (10) working days of said decision. The Commission shall schedule a hearing, conduct said hearing, and render a decision within sixty (60) days of the date of



appeal. The decision of the Commission is final. The decision of the Commission may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.

- D. Recordation of Plat** – The Planning Director's approval of a final plat is contingent on submission of four (4) original stamped copies of the plat to the Oconee County Register of Deeds, and recordation of the plat by the Register of Deeds within fifteen (15) days after the approval date. An authorized copy of the recorded plat shall be submitted to the Planning Director.

**6.21 MINOR ADMINISTRATIVE SUBDIVISION APPROVAL PROCEDURES**

**A. Application Review**

Minor subdivisions, as defined by this ordinance, containing no new proposed roads regulated by this ordinance may be approved administratively by the Planning Director. The Planning Director may approve an minor exempt subdivision after reviewing a final plat. ~~The following procedures shall constitute a minor subdivision final plat review:~~

**B. General**

No lot proposed to be created through the creation of a minor subdivision shall be sold or advertised for sale until a final plat showing the subdivision has been approved by the Planning Director, and has been recorded with the Oconee County Register of Deeds.

**6.22 GENERAL PROCEDURES FOR REVIEWING APPLICATION FOR FINAL PLAT APPROVAL SUBDIVISION PLAN**

**A. Pre-Application Sketch Plan Review Conference**

~~All person intending to submit an application for final plat approval for a minor subdivision~~ subdivide or develop property are strongly encourage to confer with the Planning Director prior to proceeding, ~~before submitting the application.~~ Proposed developments consisting of twenty (20) new housing units shall schedule a sketch plan review prior to any formal application.

**B. Preliminary Subdivision Review**

~~Application Submittal and Acceptance~~

- (a) ~~Submittal~~



~~A person seeking approval of a final plat for a minor subdivision shall submit an application for minor subdivision final plat approval (or a written property description in the case of family land transfers) to the Planning Director. The application shall include, with sufficient copies for necessary referrals and records, those forms, maps, plans, and other documents prescribed by the Planning Commission as necessary to identify the applicant and owner(s) of the parcel proposed to be subdivided, confirm the owner's authorization for submittal of the application, depict the nature and scope of the proposed subdivision and any associated development, identify and depict the boundaries and area of all proposed lots and other parcels, identify and depict the boundaries of all existing and proposed rights of way and easements, effect proposed dedications and restrictions, and show how the subdivision complies with all applicable provisions of this Ordinance and all applicable requirements for recording set forth in the South Carolina Code of Laws. The Planning Director may waive in writing any submittal requirements deemed unnecessary for compliance with applicable regulations. The applicant shall also submit the fee prescribed for the type of application by County Council.~~

- (1) A person seeking preliminary approval of a subdivision shall submit an application and all appropriate fees to Planning Director for review by this ordinance.

~~(b) — Acceptance of Application~~

~~The Planning Director shall review a submitted application and determine whether it complies with submittal requirements. If the application does not comply with submittal requirements, the Planning Director shall notify the applicant of the submittal deficiencies in writing and invite the applicant to revise the application to correct the deficiencies. If or when the application complies with all submittal requirements, the Planning Director shall accept the application as complete and timely notify the applicant of its acceptance.~~

- (2) The Planning Director may waive in writing any specific submittal requirement deemed unnecessary for compliance with applicable regulations,

~~(3) — Application Review~~

~~(a) Initial Staff Review~~

~~After accepting an application as complete, the Planning Director shall review the application, determine whether the final plat complies with all applicable regulations, identify any noncompliant features of the plat, and, whenever feasible, suggest modifications to correct the noncompliant features. The Planning Director shall notify the applicant of the identified noncompliant features and suggested modifications, and invite the applicant to discuss and review comments.~~

- (3) After receipt of an application for subdivision review and all appropriate documentation the Planning Director shall notify all appropriate agencies, providing a period to comment. After the time period for comment is complete, the Planning Director shall review all comments and begin the preliminary review of the plans. The Planning Director shall notify the applicant of all comments and all conditions for completion of preliminary review.

~~(b) Opportunity to Revise Application~~

~~Following receipt of the review comments and any discussions thereof with the Planning Director, the applicant shall either: (i) ask the Planning Director to take action on the application as submitted; or (ii) notify the Planning Director of intent to revise the application to address comments and submit a revised application to the Planning Director. If the Planning Director receives no response within five (5) business days after notifying the applicant of the application's noncompliant features, he or she shall presume that the applicant asks that the Planning Director take action on the application as submitted.~~

~~If the applicant submits a revised application, the Planning Director shall determine whether it continues to comply with submittal requirements. On accepting a revised application as complete, the Planning Director reviews it for correction of previously identified noncompliant features.~~

- (4) The applicant shall submit all responses, amended plans, additional information, or any other necessary materials to satisfy all adopted Oconee County regulations.

~~(4) Staff Action~~

~~Following the applicant's request for action on the original application, or review of a revised application, the Planning Director shall review the application, and, based on findings as to the application's compliance with all applicable provisions of this~~

~~Ordinance, decide in writing to approve the application as submitted or deny the application.~~

(5) Once the submitted plans are deemed to be in compliance with all applicable Oconee County ordinances, the applicant shall be notified in writing that the plans have been preliminarily approved. Preliminary approval typically permits a developer to proceed with the construction of roads and utilities, as well as lot sales; however, the Planning Director may grant conditional preliminary approval to insure compliance with all County Ordinances. All such conditions shall be met prior to final plat approval.

(6) **Withdrawal of Application**

An applicant may withdraw an application for minor subdivision plat approval at any time by submitting written notice of the withdrawal to the Planning Director.

~~(6) **Timely Review of Applications**~~

~~The Planning Director shall make every reasonable effort to process, review, and decide applications for minor subdivision record plat approval within five (5) working days, consistent with the need to fully consider the proposed plat's compliance with applicable regulations.~~

~~**NOTICE OF DECISION**~~

~~The Planning Director shall send the applicant written notice of his or her the final decision on the application, and shall file a copy of the decision in his or her the Planning Office. If the application is denied, the notice shall state the reasons for the denial.~~

## PLAT CERTIFICATIONS

### Approval

Upon final approval of the application the Planning Director shall enter the following certification on the approved recorded plat I, \_\_\_\_\_, Planning Director of Oconee County, certify that this plat creates a subdivision subject to and approved in accord with the Oconee County Land Development Regulations, and that it meets all statutory requirements for recording.

Date                      Planning Director/Review Officer

(7) **PLAT RECORDATION**

The Planning Director's approval of a minor subdivision final plat is contingent on submission of four (4) original copies of the plat to the Oconee County Register of Deeds, and recordation of the plat by the Register of Deeds within fifteen (15) days after the approval date. An authorized copy of the recorded plat shall be submitted to the Planning Director.

**C. Final Plat Approval**

- (1) Upon 90% completion of the construction of road and facilities of a preliminarily approved subdivision, a final "as built" plat shall be submitted to the Planning Director noting any changes from the preliminarily approved plans.
- (2) Final approval of the submitted plans shall be granted to the applicant after a review by the Planning Director.

**6.23 APPEAL OF DECISION**

Any person aggrieved by the Planning Director's decision to approve or deny an application for minor subdivision record plat approval may appeal the decision to the Planning Commission in writing within ten (10) working days of said decision as outlined in chapter one (1) of this ordinance. ~~The Commission shall schedule a hearing, conduct said hearing, and render a decision within sixty (60) calendar days of the date of appeal. The decision of the Commission is final. The decision of the Commission may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.~~

**6.24 VIOLATIONS AND PENALTIES**

**Violations and Penalties** - Any violation of these regulations shall be a misdemeanor and, upon conviction, is punishable as provided by law.

**Unapproved subdivision and subsequent transfer or sale of lots** - Any such agreement, negotiated before such plat has been approved by the Oconee County Planning Commission and recorded by the Oconee County Register of Deeds shall be considered a violation of this Ordinance and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. Oconee County may enjoin such transfer or sale or agreement by appropriate action.

**6.25 LEGAL PROVISIONS**

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public.

**Conflict With Other Laws, Ordinances, or Regulations** - Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.

**Severability** - Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.

**Repeal of Conflicting Ordinances** - All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

#### **6.26 Amendments**

The Planning Commission shall hold a public hearing on any proposed amendment to these regulations, notice of time and place shall be given at least thirty (30) days prior to the hearing date. The notice shall be placed in a newspaper of general circulation. Amendments may be adopted by vote of the Oconee County Council.

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 9/11/07  
COUNCIL MEETING TIME: 7:00 p.m.

**ITEM TITLE OR DESCRIPTION:**

DNR Water Recreational Resources Fund

**BACKGROUND OR HISTORY:**

The Department of Natural Resources will reimburse ~\$12,500 for purchasing fire pumps that will be installed on the county work boat and the pontoon boat. These pumps allow water to be pumped from the lake for fire suppression in areas on the lakes that are hard to reach with fire trucks.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

It is recommended that County Council allow Emergency Services to purchase the fire pumps using the DNR funds.

**FINANCIAL IMPACT:**

None.

**ATTACHMENTS:**

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Dale Surratt, Co. Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

pel Finance

VH Other Grants

C: Clerk to Council



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11<sup>th</sup>, 2007  
**COUNCIL MEETING TIME:** (7:00pm)

**ITEM TITLE OR DESCRIPTION:**

This contract and agreement with SDP (Smith Data Processing) is to provide a required update to comply with the new tax law that affects the Auditor, Treasurer, and Delinquent Tax offices. It does not provide for the changes required for the Assessor's office. As a note, the new Assessor's software is currently scheduled to go live in October. This will provide for Tax Year 2008. It is important to realize that a change is required and the County really has no practical alternatives. The total cost of this upgrade in this Fiscal Year is \$37,050.00. This is a request for funds that are unbudgeted. There will be a similar requirement of the second part of this cost next fiscal year, which will be included as part of the computer tax center monetary request next budget cycle.

**BACKGROUND OR HISTORY:**

The IT Director, Auditor, and Treasurer were made aware of this possible software change and the fact that there was a reasonable chance that there would be a requirement to fund the cost of these changes. SDP made clear that there was a chance that additional funds might be required, in addition to the annual maintenance cost of approximately (\$49,000.00) that the County pays every year. SDP noted that these development costs would be spread over all their South Carolina Tax Center clients, and implied that because of this, the cost if any, would be contained. The full amount of this requirement has only just become available to the County. I have contacted the Pickens County Treasurer Dale Looper, and he noted that Pickens County is paying approximately the same amount for this upgrade.

**STAFF RECOMMENDATION:**

Fund this unbudgeted amount this year -- \$37,050.00 and execute the agreements with Smith Data Processing for this software upgrade.

**FINANCIAL IMPACT:**

A cost of \$37,050.00 this fiscal year.

**ATTACHMENTS:**

- 1: Agreement with Smith Data Processing
- Billing Document
- Software License Agreement

**Submitted or Prepared by:**

  
(Richard E. Reeves)

**Approved By:**

  
Dale Surratt,  
Oconee County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

\_\_\_\_\_ Other

C: Clerk to Council

⊗ Recommend transfer from software  
tax center account # 12-711-82015-00000.

⊗



## CAPITAL PROJECTS FUND

Capital Projects Funds are established to account for financial resources that are to be used to construct or otherwise acquire major, long-lived general government capital facilities, such as buildings, equipment, highways, etc. Their principal purpose is to ensure the economical and legal expenditure of the resources, but they also serve as cost accounting mechanisms for controlling and accumulating the costs of major capital outlay projects.

### Sources of Financial Resources

Typical sources of Capital Projects Fund financial resources are bond issues or other long-term general obligation debt issues, special assessment indebtedness proceeds, grants or shared revenue from other governments, transfers from other funds, and interest earned on temporary investments of project resources.

### CAPITAL PROJECTS REVENUE SUMMARY

DESCRIPTION	FY 2008
Local Revenue	0
Transfer from General Fund	1,700,651
Transfer from Enterprise Fund Equipment Replacement	440,000
Transfer from Infrastructure (Carry fwd from Millage set aside)	485,000
Transfer from Solid Waste Reserve	2,158,100
State Revenue	0
State Aid	600,000
<b>TOTAL</b>	<b>5,383,751</b>

### CAPITAL PROJECTS EXPENDITURE SUMMARY

DESCRIPTION	FY 2008
Rock Quarry – Rubber Tire Loader	440,000
Library – Building Maintenance	70,000
Economic Development <ul style="list-style-type: none"> <li>• Feltman Road &amp; Hwy 59 Upgrades \$200,000</li> <li>• Ph I of Fair Play Commerce Center \$285,000</li> </ul>	485,000
Roads and Bridges <ul style="list-style-type: none"> <li>• Backhoe with Enhancements \$92,676</li> <li>• Side Mower \$60,900</li> <li>• Single-Axle Dump Truck \$125,000</li> <li>• Smooth Drum Vibratory Compactor \$110,000</li> <li>• Covered Storage Facility \$60,217</li> </ul>	515,651
Solid Waste <ul style="list-style-type: none"> <li>• Mulcher \$445,000</li> <li>• Landfill Track Loader \$465,000</li> <li>• Relocation MCC#1 \$500,000</li> <li>• Concrete Pads for Mulch &amp; Scrap Metal \$170,000</li> <li>• Baler in Recycling Facility \$200,000</li> <li>• Transfer Station Loader \$207,000</li> <li>• Garbage Compactor and Containers \$166,100</li> </ul>	2,158,100
Information Technology <ul style="list-style-type: none"> <li>• GIS Parcel Project \$150,000</li> <li>• Software (Tax Center) \$190,000 <i>12-711-82015-00000</i></li> </ul>	340,000



p.o. box 6052  
spartanburg, s.c. 29304

07  
QS/1 Data Systems  
(864)253-8650  
1-800-235-0762  
FAX (864) 253-8692

**Oconee County**  
**415 S. Pine Street**  
**Walhalla, SC 29691**

Agreement for Modifications for Tax Reform  
for  
the Auditor, Treasurer, and Tax Collector

*By: Tom Mcleod*  
*QS/1 Data Systems*  
*August, 15 2007*

### Description of Agreement for Software and Services

This agreement is for the modifications to the tax system for the Auditor, Treasurer and Delinquent Tax Collector that are necessary to comply with the tax reform legislation passed in 2006 and modified in 2007. These changes will address the new exemption for school-operating taxes on owner occupied residential property being funded by the additional \$.01 sales tax. In general, the changes include the following:

This contract covers changes for 2007:

Calculation changes for 2007 taxes to compute all school operating taxes on owner occupied residential property as a credit to be reimbursed by the state.

Calculation changes for 2007 taxes to compute all the homestead exemption not including the school operating taxes on owner occupied residential property.

Modifications to the levy structure in the system to properly track school operating and county operating millage for the new exemptions.

Modifications to all screens, reports, documents, notices, and bills to compute, display and process the new school exemption and homestead exemption properly.

Modifications to all tax distribution reports.

Modifications for all state reporting, such as the homestead reimbursement report, as well as the newly defined reports for reporting the new exemptions.

For 2008 taxes, additional changes are required. An additional agreement will be issued for these changes.

Calculation changes for 2008 taxes to exempt all school operating taxes on owner occupied residential property.

For 2008 taxes, changes to the screens, reports, notices and documents to reflect the exempt status of the school operating portion of the owner occupied residential property.

For 2008 taxes, modifications to properly compute and account for assessment exempted from school operating taxes on owner occupied residential property and other assessment not exempted on the same tax bill. In other words, produce a single tax bill using two assessments and two millages – one including school operating and one not including school operating.

Calculation changes and methodology to distribute any excess reimbursement money from 2007 back to the County Ordinary portion of the 2008 taxes on owner occupied residential property.

Not included in this agreement are changes necessary to implement the 15% cap on real property in years of reappraisal, process certificates for assessable transfers of interest, and any modifications necessary to process, maintain, and track the appraisal of assessable transfers of interest.

There may be other changes considered by the South Carolina General Assembly in 2007 - 2008 concerning property taxes in South Carolina. We at QS/1 try to keep up and stay ahead of these changes for our local government customers. We cannot anticipate the massive changes that may occur with the General Assembly in these changing times. We will, however, work with your county to make any and all changes in the tax structure as smooth as possible.

This agreement is based on processing taxes and these new exemptions as currently defined in Act 388, Acts of 2006 and the subsequent legislation in S367 from the 2007 legislative session. If major changes are required in the tax system due to future legislative or regulatory changes, we will calculate a cost to accomplish these changes and submit an agreement to you for this cost for you to approve. We appreciate your business and thank you for your support.



Oconee County  
 QS/1 Data Systems  
 08/15/2007

PROPOSAL FOR OCONEE COUNTY

PREPARED BY: TOM MCLEOD

OCONEE COUNTY  
 415 S. PINE STREET  
 WALHALLA, SC 29591

EXHIBIT A  
SOFTWARE COSTS

QTY	MODEL	DESCRIPTION	PRICE	EXTENDED	MTHLY
1	T0018	Modifications for Tax Reform	\$31,200.00	\$31,200.00	\$442.00
		TOTAL SOFTWARE COST.....		\$31,200.00	\$442.00
		TOTAL SOFTWARE COST.....		\$31,200.00	\$442.00

Oconee County  
QS/I Data Systems  
08/15/2007

**Terms of Contract**

Software prices in this quote are valid for a period of 30 days.

**Invoicing**

Invoices for this order will be issued according to the *Initial Payment Terms* shown below. Maintenance invoices will be issued separately. These invoices are due and payable upon receipt. **Your account must be paid by the 15th of the following month.** Amounts not paid when due will be subject to a finance charge of 1.5% per month (18% per year).

**Investment Totals**

---

Total Initial Investment Base	\$31,200.00
Sales Tax of 6% based on \$31,200.00	\$1,872.00
Freight	\$0.00
<b>Total Initial Investment</b>	<b>\$33,072.00</b>

**Initial Payment Terms**

Initial Deposit: 20%	\$6,614.40
Final Payment: All unpaid balance ( <i>due upon start of training per software application</i> )	\$26,457.60

**Maintenance Schedule for First Year<sup>1</sup>**

Software: 9 months @ \$442.00 per month	\$3,978.00
<b>Total Maintenance</b>	<b>\$3,978.00</b>

---

<sup>1</sup> Maintenance charges are in addition to investment amounts. See the section entitled *Maintenance* in this document for more information.

Oconee County  
QS/1 Data Systems  
08/15/2007

## **Maintenance**

### **II. Software Maintenance:**

*Software Maintenance* is required and is payable 90 (ninety) days after installation and the beginning of training.

## **Software Licensing**

The parties acknowledge and agree that all software-licensing issues for software not produced by QS/1 Data Systems are between client and software manufacturer, and QS/1 Data Systems is not acting as an agent for any such manufacturers. Client acknowledges that it is their responsibility to know how many licenses are needed for their business and to purchase the legal amount. Client understands and agrees that QS/1 Data Systems cannot be held liable in any way for performing work on a client computer that has illegally pirated software. QS/1 Data Systems will assist client in determining licensing requirements but any and all such efforts not included in this agreement will be considered in addition to the services herein and will be invoiced separately.



## Training

QS/1 Data Systems takes pride in the proper training of your employees so they may effectively utilize the system. Training will be scheduled by an QS/1 Data Systems representative with the designated person from your staff. This Training will take place with a QS/1 Data Systems representative either at the customer site or remotely via the internet. This proposal includes training for each software system purchased in accordance with the schedule that follows.

<i>Software.....</i>	<i>On-site Days.....</i>	<i>Remote Hours</i>
<i>Modifications for Tax Reform.....</i>	<i>2.....</i>	<i>0</i>
<i>Total.....</i>	<i>2.....</i>	<i>0</i>

### **IMPORTANT**

- If training exceeds the number of visits specified above, a charge per visit for training will apply.
- It is the responsibility of the customer to have the employee or employees available to be trained at the scheduled training sessions. Cancellation of a scheduled training session requires a minimum of 24 hours advance notice. **Failure to notify QS/1 Data Systems of a training cancellation in a timely manner will result in the forfeiture of the allotted training visit(s).**

Oconee County  
QS/I Data Systems  
08/15/2007

### **Governing Law and Jurisdiction**

This agreement and performance hereunder shall be governed by the laws of the State of South Carolina. The sole jurisdiction for any legal proceedings under this agreement shall be South Carolina.

### **No Third-Party Beneficiary**

It is specifically agreed between the parties executing this Agreement that it is not intended by reason of any of the provisions of any part of this Agreement to establish in favor of the public or any member thereof the rights of a third-party beneficiary hereunder, or to authorize anyone not a party to the Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

### **Express Warranties, Disclaimers and Damage Limits**

(a) Limited Express Warranty. QS/I Data Systems warrants that it will supply the hardware described in this Agreement in accordance with the understandings of the parties as expressed in this Agreement.

(b) **THE ABOVE WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ALL WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

(c) Right to Damages Limited. Under no circumstances will QS/I Data Systems be liable for incidental, special, punitive or consequential damages whether under warranty, tort, contract, strict liability or otherwise.

### **Complete Agreement**

This Agreement cancels and supersedes all prior written and unwritten agreements, attachments, schedules, appendices and understandings between the parties pertaining to the matters covered in this agreement, and contains the entire agreement between the parties. No obligations, agreements or understandings shall be implied from any of the terms and provisions of this agreement, all obligations, agreements and understandings with respect to the subject matter hereof being expressly set forth herein. No representations or statements, other than those expressly set forth in this Agreement were relied upon by the parties in entering into this Agreement. No amendment, modification or waiver of, addition to, or deletion from the terms of this Agreement will be effective unless reduced to writing and signed by the representatives of both parties with actual authority to bind the parties.

### **Terms**

Invoices will be billed at the end of the month. Your account must be paid by the 15<sup>th</sup> of the following month. Amounts not paid when due will be subject to a finance charge of 1.5% per month (18% per year).

Oconee County  
QS/I Data Systems  
08/15/2007

**Signatures and Initials**

Please have the appropriate, authorized person sign one copy of this contract and return it to QS/I Data Systems. Signing this contract indicates that your agency agrees to abide by the statements and terms described in this document.

**Initials**

**Software Maintenance**

**Bill us:**      Quarterly                      Annually

\_\_\_\_\_

**Training**

I understand and agree with the Training Schedule set out in this contract under Training.

\_\_\_\_\_

**Software**

I understand that the software is sold "as is" unless noted previously under Special Notifications

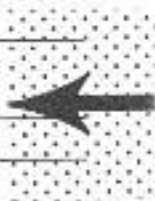
\_\_\_\_\_

**JM Smith Corporation  
d/b/a QS/I Data Systems**

**Oconee County**

By: \_\_\_\_\_  
Tom McLeod  
Title: Vice President Marketing & Sales  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

SOFTWARE LICENSE AGREEMENT

THIS SOFTWARE LICENSE AGREEMENT (hereinafter "Agreement") is made this 15th day of August, 2007, between J M Smith Corporation d/b/a QS/I Data Systems, (hereinafter referred to interchangeably as "Licensor" and QS/I Data Systems) and Oconee County (hereinafter "Licensee").

1. RECITALS

J M SMITH CORPORATION, d/b/a QS/I Data Systems, a South Carolina Corporation, is the licensor of the QS/I software Modifications for Tax Reform (hereinafter referred to as the "System"), to be used on the computer equipment as set forth on Exhibit A or such other computer or computers as Licensor may approve in writing.

2. LICENSE

2.1 Grant of License. Licensor grants to Licensee, pursuant to the following terms and conditions, a perpetual non-exclusive, non-transferable license to use Licensor's software and the software user's manual (hereinafter collectively "Software").

2.2 Use of Software by Licensee. The License granted under this Agreement authorizes Licensee to use the Software in machine readable form on a single central processing unit (hereafter "CPU"). Licensee may temporarily transfer the software to backup equipment if the CPU is inoperative and Licensee gives Licensor advance notification of such transfer. The Software shall be used only for Licensee's own business and Licensee shall not permit any parent, subsidiaries, affiliated entities or third parties to use the Software.

3. CONSIDERATION.

In consideration of the foregoing license, Licensee shall pay Licensor the sum set forth on Exhibit A. Any equipment to be provided by Licensee shall be furnished in accordance with the schedule set forth on Exhibit A.

4. COPIES

Licensee shall not copy or duplicate in whole or in part the Software provided under this agreement in computer code form. Licensee may, solely to enable it to use Software, make two archival copies of the Software. Licensee shall have no other right to copy or print, in whole or in part, the Software or the Procedure Manual without the prior approval of the Licensor. All copies made by Licensee are the exclusive property of Licensor.

5. SOFTWARE OWNERSHIP.

4.1 Licensor's Representation. Licensor represents that it is the owner of the Software and all portions thereof.

4.2 Modifications. Only Licensor shall have the right to modify, maintain, enhance or otherwise alter the Software.

4.3 Transfer. Under no circumstances shall Licensee transfer in any manner, in whole or in part, the Software or any copy thereof, without Licensor's prior written consent.

6. TITLE TO SOFTWARE AND CONFIDENTIALITY.

The Software is proprietary to Licensor and title to it remains with Licensor. All applicable rights to trade secrets or any modifications or enhancements made by Licensor or its Licensor's agent shall remain with Licensor. Licensee shall not sell, publish, disclose, display or otherwise make available the Software or copies thereof to others. Licensee agrees to secure and protect the Software in a manner consistent with the maintenance of Licensor's rights therein and to take appropriate action by instruction or agreement with its employees, agents or consultants who are permitted access to the Software to satisfy Licensor's obligations hereunder.

7. PATENT AND COPYRIGHT INDEMNIFICATION.

Licensor is neither authorized nor obligated to defend any action brought against the Licensor to the extent that it is based on a claim that the Software used within the scope of the license granted hereunder, infringes a copyright in the United States or a United States patent. Licensor, at its own expense, will defend any action brought against Licensee to the extent it is based on a claim that the Software used within the scope of this agreement infringes any patent, copyright, license, trade secret or any other proprietary right, provided that the Licensor is immediately notified in writing of such a claim. Licensor shall have the right to control the defense of all such claims, lawsuits and other proceedings. In no event shall Licensee settle any such claim, lawsuit or proceeding without Licensor's prior written approval. Licensor shall have no liability for any claim under this section if a claim for patent, copyright, license or trade secret infringement is based on the use of a superseded or altered version of the Software, if such infringement would have been avoided by the use of the latest unaltered version of the Software available as an update.

8. DELIVERY AND ACCEPTANCE.

Licensee shall deliver the Software at the location designated in Exhibit A. Licensee shall be deemed to have accepted the Software as of the date of the first training session unless another date is specified in Exhibit A.

9. HARDWARE REQUIREMENTS.

Because of compatibility requirements, Licensee agrees that it will use the system only in conjunction with the computer equipment as set forth on the current Exhibit A or such other computer or computers as Licensor may approve in writing.

10. WARRANTY.

10.1 Scope. Licensor warrants that for ninety (90) days after acceptance, the Software will conform to the Software specifications set forth in the QS/I Data Systems System Procedure Manual including, but not limited to, operating performance and compatibility. During the warranty period, Licensor will use its best efforts to correct defects which substantially affect system performance and shall, without additional charge, correct system errors, and issue corrected releases to Licensee. After the expiration of the warranty period, Licensor shall provide maintenance for Software if Licensee subscribes to software maintenance service.

10.2 Warranty Limitation. THE FOREGOING WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES EXPRESSED OR IMPLIED INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OR MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE STATED EXPRESS WARRANTY IS IN LIEU OF ALL LIABILITIES OR OBLIGATIONS OF LICENSOR FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT AND THE DELIVERY, USE AND PERFORMANCE OF THE SOFTWARE.

10.3 Liability Limitation. Licensor shall have no liability with respect to its obligations under the Agreement for consequential, exemplary, or incidental damages even if it has been advised of the possibility of such damages. Licensor's sole liability, including liability arising out of contract, negligence, and strict liability in tort, shall not exceed any amounts paid by Licensee for the Software.

11. RESPONSIBILITIES OF LICENSEE.

11.1 Use by Licensee. Licensor has no control over the conditions under which Licensee makes use of the Software and Licensor does not and cannot warrant the results obtained by such use. The Licensee shall be exclusively responsible for the supervision, management and control of its use of the Software, including but not limited to: audit controls and operating methods; establishing adequate backup plans; and implementing sufficient procedures and checkpoints to satisfy its requirements for security and accuracy of input and output as well as restart and recovery in the event of a malfunction.

11.2 Responsibility for Accuracy of Information. Licensee shall remain solely responsible for the accuracy of information obtained from the use of the Software and the use of such information, even if any inaccuracy is due to Software errors or malfunctions. Specifically, and without limitation, Licensee shall remain solely responsible for procedures performed or information provided to third parties and shall indemnify and hold Licensor harmless from any claim arising therefrom.

XFS

Licensor shall, in addition to the other amounts payable under the Agreement, pay all sales, use, value added or other taxes, federal, state or otherwise, however designated, which are levied or imposed by reason of the transactions contemplated by this Agreement, unless exempt per a tax exempt status

13. ASSIGNMENT.

The license granted hereby shall terminate automatically upon the sale or transfer by Licensor of all or substantially all of its assets or upon a sale or transfer of a controlling interest (deemed to be 50% or more of the beneficial ownership of Licensor) in Licensor without the prior written consent of Licensor which consent will not be unreasonably withheld.

14. TERMINATION.

Licensor shall have the right to terminate this Agreement and the license granted herein:

- (a) Upon ten (10) days written notice in the event the Licensee, its officers, agents, or employees violate any provision of the Agreement; or
  - (b) In the event Licensee (i) terminates or suspends its business, (ii) becomes subject to any bankruptcy or insolvency proceeding under Federal or state statute,
  - (iii) becomes insolvent or becomes subject to direct control by a trustee, receiver or similar authority, or (iv) has wound up or liquidated voluntarily or otherwise.
- In event of termination by reason of Licensee's failure to comply with any part of the Agreement, or upon any act which shall give rise to Licensor's right to terminate, Licensor shall have the right at any time to renege the license and take immediate possession of the Software and all copies wherever located, without demand or notice. Within thirty (30) days after termination of the license, Licensee will return to Licensor the Software in the form provided by Licensor or as modified or, upon request by Licensor, destroy the Software and all copies, and certify in writing that they have been destroyed. Termination under this paragraph shall not relieve Licensee of its obligations regarding confidentiality of the Software.

15. MISCELLANEOUS.

15.1 Complete Agreement. Each party acknowledges that it has read and understands this Agreement and agrees to be bound by its terms. The parties further agree that this Agreement, including Exhibit A is the complete and exclusive statement of the Agreement between the parties, which supersedes and merges all prior proposals, understandings and all other agreements, oral or written, between the parties relating to this Agreement. This Agreement may not be modified or altered except by written instrument duly executed by both parties.

15.2 Notices. All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered when delivered in person or deposited in the United States Mail, postage prepaid, registered or certified mail, return receipt requested, addressed as follows:

- (a) To Licensor: QSI Data Systems  
Post Office Box 1412  
Spartanburg, SC 29304
- (b) To Licensee: Oconee County  
415 S. Pine Street  
Walhalla, SC 29691

15.3 Governing Law and Jurisdiction. The Agreement and performance hereunder shall be governed by the laws of the State of South Carolina. The sole jurisdiction for any legal proceedings under this Agreement shall be South Carolina.

15.4 Statute of Limitations. No action, regardless of form, arising out of this Agreement may be brought by Licensor more than one (1) year after the cause of action has arisen.

15.5 Waiver. The waiver or failure of Licensor to exercise in any respect any right provided for herein shall not be deemed a waiver of any further right hereunder.

15.6 Severability. If any provision of this Agreement is invalid, illegal or unenforceable under any applicable statute or rule of law, it is to that extent to be deemed omitted, and the remaining provisions shall not be affected in any way.

15.7 Headings. The headings of the various Paragraphs and Subparagraphs herein are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Agreement on the day and year first above written.

WITNESSES SIGNATURES:

Licensor  
By \_\_\_\_\_

By \_\_\_\_\_  
As to Licensor

WITNESSES SIGNATURES:

Licensor  
By \_\_\_\_\_

By \_\_\_\_\_

As to Licensee

LICENSOR: J M SMITH CORPORATION  
d/b/a QSI Data Systems

By: \_\_\_\_\_  
Tom Mickel

Title: \_\_\_\_\_  
Vice President Marketing & Sales

LICENSEE: Oconee County

By: \_\_\_\_\_  
Linda Nix O

Title: \_\_\_\_\_  
By: \_\_\_\_\_



OCONEE COUNTY, SOUTH CAROLINA  
JOB DESCRIPTION

JOB TITLE: FIREFIGHTER  
EMERGENCY SERVICES

GENERAL STATEMENT OF JOB

The purpose of the class is to perform fire suppression and rescue operations; to efficiently and effectively protect the lives and property of those in need of assistance; to provide medical assistance at the First Responder level as necessary, and to perform related work as required. This class works according to some procedures; work is reviewed regularly by supervisor.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Responds to emergency situations within the Emergency Services Department's responsibility to perform fire suppression, hazardous materials incident response and rescue duties.

Uses power and hand tools to ventilate burning buildings and perform forcible entry. Provides crowd and traffic control at emergency scenes; assists with salvage, overhaul, cleanup and evacuation activities as necessary.

At emergency scenes, administers CPR and First Aid and provides medical assistance at the Medical First Responder level.

May drive and operate fire/rescue response vehicles. Requires operating or repairing complex machinery or equipment that requires extended training and experience, such as fire engines, fire suppression equipment, rescue equipment, medical equipment, etc.; may involve installation and testing.

Assists with documentation of emergency incidents and responses.

Cleans and maintains fire/rescue apparatus, equipment, stations and grounds; tests fire hoses and ladders; maintains emergency response equipment in a constant state of readiness.

Conducts fire drills. Tests fire hydrants. Prepares pre-fire plans for buildings; participates in fire prevention and fire safety education activities.

May conduct fire inspections of buildings in the County. Receives and responds to public inquiries, complaints and requests for assistance regarding areas of responsibility.

Attends training, seminars, and meetings to remain knowledgeable of modern fire suppression and prevention methods; maintains required certifications.



## FIREFIGHTER - EMERGENCY SERVICES

Performs general clerical work as required, including but not limited to preparing reports and records, copying and filing documents, entering and retrieving computer data, attending meetings, answering the telephone, etc. Requires copying, transcribing, entering or posting data or information.

Performs related duties as required.

### MINIMUM TRAINING AND EXPERIENCE

Job requires high school diploma or GED equivalent supplemented by formal training, special courses or self-education. Must possess a valid state driver's license. Must possess S.C. Firefighter certification. Must possess CPR and First Aid certifications; must possess Medical First Responder certification. May be required to obtain other technical certifications as deemed necessary by supervisor. Requires one year of previous emergency service experience or equivalent.

### MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Requires heavy work that involves walking, standing, climbing, balancing, stooping, crouching, crawling, kneeling, reaching, and lifting, pushing or raising objects, exerting between 50 and 75 pounds of force on a recurring basis and over 100 pounds of force on a frequent basis. Firefighter must be capable of wearing respirator per OSHA regulations and other personal protective equipment as deemed necessary.

Interpersonal Communications: Requires speaking or signaling to people to convey or exchange information of a general nature. Must be compatible in communal fire station living environment.

Reasoning Requirements: Requires performing skilled work involving rules/systems with almost constant problem-solving.

Numerical Aptitude: Requires using basic algebra involving variables and formulas and/or basic geometry involving plane and solid figures, circumferences, areas and volumes.

Verbal Aptitude: Requires reading technical instructions, procedures, manuals and charts to solve practical problems; composing routine reports and specialized reports, forms and business letters with proper format; speaking compound sentences using normal grammar and word form. Firefighter must be able to communicate using radio equipment.

Mental Requirements: Requires doing clerical, manual or technical tasks requiring a wide range of procedures and requiring intensive understanding of a restricted field or complete familiarity with the functions of a unit or small division of an operating agency; requires normal attention with short periods of concentration for accurate results or occasional exposure to unusual pressure.

Decision Making: Job requires decision making under stress and following and implementing orders under stress.



## FIREFIGHTER - EMERGENCY SERVICES

Sensory Requirements: The job requires normal visual acuity, depth perception and field of vision, hearing and speaking ability, color perception, texture perception, odor perception.

Judgment: Responsible for guiding others, requiring frequent decisions affecting co-workers and others who depend on the service or product; works in a somewhat fluid environment with rules and procedures but with many variations from the routine.

Environmental Hazards: The job risks exposure to fire hazards, extreme heat and/or cold, wet or humid conditions, extreme noise levels, vibration, fumes and/or noxious odors, airborne particles, traffic, moving machinery, electrical shock, heights, confined spaces, disease/pathogens, toxic/caustic chemicals, explosives.

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11, 2007  
**COUNCIL MEETING TIME:** 7:00 PM

**ITEM TITLE OR DESCRIPTION:**

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE COUNTY OF OCONEE, SOUTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE**

**BACKGROUND OR HISTORY:**

Oconee County Ordinances have never been codified. The process was begun and in 2002 a Purchase Order #41017 [\$11,950.00] was issued to Municipal Code Corporation to begin the process of codification.

Sometime in the interim we received 5 identical books entitled "Code of Ordinances, Oconee County, South Carolina".

In July/August 2007, Clerk to Council reviewed the books in detail for accuracy and completeness. In order to complete the process and have the Ordinances accessible on the web, Council must first approve an Ordinance adopting the "Code of Ordinances, Oconee County, South Carolina".

**SPECIAL CONSIDERATIONS OR CONCERNS:**

N/A.

**STAFF RECOMMENDATION:**

It is recommend that Council adopt this Ordinance.

**FINANCIAL IMPACT:**

**HISTORY:**

Original Purchase Order:	\$ 11,950.00
Adjustments and additional charges not covered in contract:	-\$ 4,968.61
Payments by Oconee County	<u>-\$ 9,200.00</u>
<b>Credit balance with Municipal Code Corporation</b>	<b>-\$ 2,218.61</b>
Recommendation for credit balance:	
Additional Ordinance pages to bring us current through Ord#2007-12	\$ 1,462.00
"Code of Ordinances" on web – first year charge	<u>\$ 350.00</u>
<b>Credit balance with Municipal Code Corporation</b>	<b>-\$ 406.61</b>

This credit balance should be used toward proofing and shipping charges for new pages.

Each fiscal year Council will need to authorize in the budget [1] \$400 to maintain the code on the web and [2] sufficient funds to include the previous years Ordinances [pages @ \$17/page] in the "Code of Ordinances, Oconee County, South Carolina".

**ATTACHMENTS**

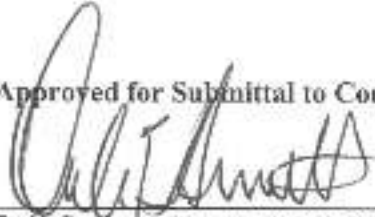
Ordinance 2007-16

**Submitted or Prepared By:**



\_\_\_\_\_  
Department Head/Elected Official

**Approved for Submittal to Council:**



\_\_\_\_\_  
Dale Surrett, County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

**C: Clerk to Council**

**OCONEE COUNTY COUNCIL  
ORDINANCE NO 2007-16**

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE COUNTY OF OCONEE, SOUTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

BE IT ORDAINED BY THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, duly assembled and by authority of the same as follows:

**Section 1.** The Code entitled "Code of Ordinances, Oconee County, South Carolina," published by Municipal Code Corporation, consisting of chapters 1 through 34, each inclusive, is adopted.

**Section 2.** All ordinances of a general and permanent nature enacted on or before October 18, 2005, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**Section 3.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than \$500.00 or imprisonment for not more than 30 days or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the County may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Section 5.** Additions or amendments to the Code when passed in such form as to indicate the intention of the County to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after October 18, 2005, which amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective on third and final reading of this ordinance.

\_\_\_\_\_  
Marion E. Lyles, Chair  
Oconee County Council

Attest:

\_\_\_\_\_  
Elizabeth G. Hulse, Clerk  
Oconee County Council

1<sup>st</sup> Reading:  
2<sup>nd</sup> Reading:  
3<sup>rd</sup> & Final Reading:

81d  
#2007-17

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** September 11, 2007  
**COUNCIL MEETING TIME:** 7 pm

**ITEM TITLE OR DESCRIPTION:**

Draft Vested Rights Ordinance

**BACKGROUND OR HISTORY:**

The South Carolina Legislature passed the Vested Rights Act in June of 2005 to set uniform standards for vesting throughout the state. Prior to this legislation, the point at which a developer acquired the right to proceed with a project was often subject to the whim of individual courts. Under the provisions of the new vesting rules, counties not having an existing vested rights ordinance were required to follow a set of standards contained in the Act; Oconee has been operating under these rules. Although it is possible to continue in this manner, the Vested Rights Act allows local governments to adopt rules that better fit the needs of the particular community. Therefore, as Council has set the County on a course toward zoning, it is vital that we establish rules for vesting that are as clearly defined as possible, yet still allow the Planning Commission and staff the freedom to deal with projects in a manner that best benefits the citizens of Oconee County. The attached draft was developed in close consultation with the County Attorney, and recommended by unanimous vote of the Planning Commission.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

None

**STAFF RECOMMENDATION:**

Forward the draft Vested Rights Ordinance to the Council Planning and Economic Development Committee for review.

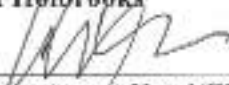
**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

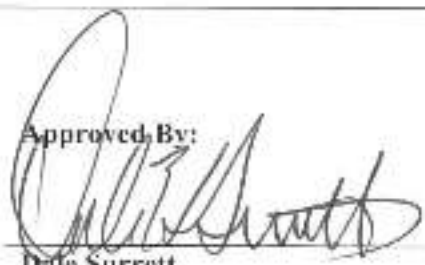
Copy of the Draft Vested Rights Ordinance

**Submitted or Prepared by:**  
Art Holbrooks



(Department Head/Elected Official)

**Approved By:**



Dale Surratt,  
Oconee County Administrator

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

\_\_\_\_\_ Other

C: Clerk to Council

## Oconee County Vested Rights Ordinance 2007-xx

### Article I. Purpose and Authority

Section 1.01 **Purpose** – The purpose of this ordinance is to provide for the establishment of, and identification of any necessary processes associated with the establishment of vested property rights related to undertaking and completing the development and use of property pursuant to a site specific development plan or an approved phased development plan. It is also the purpose of this ordinance to amend the Oconee County Land Development Ordinances, Codes, and Regulations in accordance with the provisions of S.C. Code ann. § 6-29-1520 et seq., as amended.

Section 1.02 **Intent**— The intent of this ordinance is to provide certain protections to the holders of vested property rights from the imposition of land development regulations adopted subsequent to vesting, and to insure that a vested property right is attached and runs with the property. This ordinance shall also provide for conditions and limitations for vested property rights, and provide for the repeal or amendment of inconsistent sections of the County Codes and Ordinances.

Section 1.03 **Authority** -The provisions of this ordinance are adopted under authority of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code ann. § 6-29-1520 et seq., as amended.

Section 1.04 **Jurisdiction** - The regulations set forth in this ordinance shall be applicable within the unincorporated areas of Oconee County

Section 1.05 **Severability** – The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by a court of competent jurisdiction, such declaration shall not affect the constitutionality, legality or enforceability of any other section or provision of this ordinance.

Section 1.06 **Effective Date of Ordinance** – This Ordinance shall take effect upon final adoption by County Council.

BE IT ORDAINED AND ENACTED BY THE OCONEE COUNTY COUNCIL:

### Article II. Finding of Facts

Section 2.01 The South Carolina General Assembly has enacted the “Vested Rights Act” which is codified as Section 6-29-1520 et seq., S.C. Code Ann., as amended, (the “Act”).

Section 2.02 The Act requires local governments to enact ordinances implementing the provisions of the Vested Rights Act on or before July 1, 2005. The Act authorizes local governments to establish a procedure for the vesting of rights in certain development plans, and provides that local governments that do not pass ordinances implementing a procedure for the establishment of vested rights will be subject to



**Draft Approved by Planning Commission**  
**8-13-2007**

the requirements of Section 6-29-1560 of the Act, under which a landowner has a vested right to proceed in accordance with an approved site specific development plan upon the terms and conditions and subject to the requirements and limitations of S.C. Code Ann. § 6-29-1560(A), which section substitutes statutory conditions for vesting, reducing local control and flexibility.

Section 2.03 Council finds that the affected Oconee County Ordinances should conform to the requirements of the Vested Rights Act; in a manner to facilitate the administration of Oconee County zoning and land use codes, ordinances and regulations.

### **Article III. Terms and Definitions**

Section 3.01 **Definitions** -Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

- (1) **Approved or approval** – a final action by the county governing body or an exhaustion of all administrative remedies from decisions of Oconee County zoning, planning or land use officials, boards or commissions which results in the authorization of a site specific development plan or a phased development plan.
- (2) **Building Permit** - a written license or permit issued by a local building official that authorizes the construction or renovation of a building or structure at a specific location.
- (3) **Conditionally Approved or conditional approval** - an interim action taken by the Oconee County governing body or the Oconee County planning Commission, or Board of Zoning Appeals that provides authorization for a site specific development plan or a phased development plan which is subject to further approval.
- (4) **Landowner** - an owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns and personal representatives of the owner. "Landowner" may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or to purchase real property pursuant to a contract with the owner to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan pursuant to this ordinance.
- (5) **Local governing body** - (a) the governing body of Oconee County or (b) a county body authorized by statute of Oconee County to make land use decisions.
- (6) **Oconee County Planning Commission**- The Oconee County Planning Commission and planning staff specifically authorized to carry out certain functions on its behalf.
- (7) **Person**- an individual, corporation, business, or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any legal entity as defined by the laws of South Carolina.
- (8) **Phased development plan** – a development plan submitted to the local governing body or body authorized by the local governing body to make land-use decisions that shows the types and density or intensity of uses for a specific property or properties to be developed in phases, but which do not satisfy the requirements for a site specific development plan.
- (9) **Real Property or property** – all real property that is subject to the land-use and development ordinances or regulations enacted by the Oconee County Council and includes the earth, water and air above, below or on the surface, and includes improvements or structures customarily regarded as part of real property.

**Draft Approved by Planning Commission**  
**8-13-2007**

- (10) **Site specific development plan** - a development plan submitted to the local governing body or a body authorized by the local governing body to make land-use decisions by a landowner describing with reasonable certainty the types and density or intensity of uses for a specific property or properties. The plan may be in the form of, but is not limited to, the following plans or approvals: planned unit development; subdivision plan; preliminary or general development plan, final subdivision plats, variance, conditional use or special use permit plan; conditional or special use district zoning plan; or other land-use approval designations as are used by Oconee County with regard to submitted plan.
- (11) **Vested rights** - the right to undertake and complete the development of property under the terms and conditions of a site specific development plan or a phased development plan as provided in this ordinance, the Vested Rights Act and in Oconee County land development ordinances or regulations.

#### **Article IV. Establishment of Vested Right**

Section 4.01 A vested right as defined herein is established for two years upon the approval of a site specific development plan.

Section 4.02 The landowner of real property with a vested right may apply before the end of the vesting period but not thereafter to the Oconee County Planning Commission for an annual one-year extension of the vested right. The Oconee County Planning Commission must approve applications for at least five annual extensions of the vested right if a timely application has been filed with the Planning Commission, unless an amendment to land development ordinances or regulations has been adopted that prohibits such approval. If no timely application is made by the landowner to the Oconee County Planning Commission for an annual extension, the vesting period or annual extension applicable to such real property shall expire at the end of the vesting period or the last annual extension granted thereof.

Section 4.03 The Oconee County Planning Commission may, but is not required to, provide for the establishment of a two-year vested right in a conditionally approved site specific development plan. No two-year vested right is established in a conditionally approved site specific development plan unless such vested right is specifically and expressly approved by the Oconee County Planning Commission in writing when a site specific development plan is conditionally approved.

Section 4.04 The Oconee County Planning Commission may, but shall not be required to, approve the establishment of a vested right in an approved or conditionally approved phased development plan for a period not to exceed five years.

Section 4.05 No vested right in a site specific development plan shall attach or be established until plans have been received, all required approvals have been given or granted in writing, and all fees have been paid in accordance with the procedures outlined in this code. No vested right attaches or is established until a final decision has been rendered favorable to the applicant on all administrative appeals.

Section 4.06 The Oconee County Zoning Board of Appeals is not authorized to grant or approve a vested right and no vested right shall be established, created or accrue as a result of any decision of the Zoning Board of Appeals.

**Article V. Conditions and Limitations on Vested Right.**

Section 5.01 A vested right established by this ordinance and in accordance with the standards and procedures in Oconee County zoning, land development and land-use ordinances and regulations is subject to the following conditions and limitations.

- (1) the form and content of a site specific development plan submitted by a landowner must conform and comply with all applicable Oconee County zoning, planning, storm water management and sediment control, building, electrical, mechanical, life safety, fire and other land-use codes, ordinances and regulations;
- (2) no vested right in a site specific development plan shall be established except in conformity with Oconee County zoning, planning, storm water management and sediment control, building, electrical, mechanical, life safety, fire and other land-use codes, ordinances and regulations;
- (3) if the Oconee County Planning Commission approves a vested right for a phased development plan, a site specific development plan shall be required for approval with respect to each phase in accordance with regulations in effect at the time of vesting;
- (4) a vested right established under a conditionally approved site specific development plan or conditionally approved phased development plan may be terminated by the Oconee County Planning Commission upon its determination, following notice and a public hearing, that the landowner has failed to meet the terms of the conditional approval;
- (5) a vested right established in accordance with the provisions of this ordinance shall be vested upon approval by the Oconee County Planning Commission of the site specific development plan or phased development plan that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets and other infrastructure and to undertake other specific expenditures necessary to prepare for application for a building permit. No developer or landowner shall proceed with investment in grading, installation of utilities, streets or other infrastructure, or shall undertake other significant expenditures necessary to prepare for application for a building permit before a site specific development plan or phased development plan authorizing such improvements and expenditures has been approved by the Oconee County Planning Commission. No investments in grading, installation of utilities, streets, or other infrastructure, or other significant expenditures shall give rise to or establish a vested right until the Oconee County Planning Commission has approved the site specific development plan or phased development plan that authorizes the developer or landowner to proceed with improvements or undertake significant expenditures on the real property which is proposed for development. Any vested right so granted is subject to all land development regulation requirements, including, but not limited to, meeting all financial security requirements prior to acceptance of final plats.

Section 5.02 A site specific development plan for which a variance, regulation or special exception is necessary, does not qualify and may not claim or receive vested right status unless and until the variance, regulation or special exception is obtained. A phased development plan for which a variance, regulation

**Draft Approved by Planning Commission**  
**8-13-2007**

or special exception is necessary does not qualify and may not obtain a vested right until the variance, regulation or special exception is obtained.

Section 5.03 A vested right for a site specific development plan expires two years after vesting; provided, however, that the landowner of real property with a vested right may apply to the Oconee County Planning Commission before the end of the vesting period for an annual extension of the vested right for a period of one year. If a timely application is made, the Planning Commission must approve applications for no more than five successive annual extensions unless an amendment to land development ordinances or regulations has been adopted that prohibits approval of such annual extension applications. The Oconee County Planning Commission shall designate the vesting point for a phased development plan as the date of approval of the phased development plan. The Oconee County Planning Commission may extend the time for a vested site specific development plan to a total of five years upon a determination that there is just cause for the extension and that the public interest is not adversely affected. Upon expiration of the vested right, a permit may be issued for development only in accordance with applicable land development ordinances and regulations and may require new plan submissions in accordance with the applicable ordinances and regulations.

Section 5.04 A vested site specific development plan or a vested phased development plan which has been approved by the Oconee County Planning Commission may be subsequently amended if the amendments comply with applicable Oconee County land development ordinances and regulations.

Section 5.05 A validly issued building permit does not expire or is not revoked upon expiration or termination of a vested right, except for public safety reasons or as prescribed by the applicable building code.

Section 5.06 A vested right to a site specific development plan or phased development plan may be revoked by the Oconee County Planning Commission upon its determination, after notice and a public hearing, that there was a material misrepresentation by the landowner or substantial non-compliance with the terms and conditions of the original or amended approval.

Section 5.07 A vested site specific development plan or vested phased development plan is subject to later enacted federal, state or local laws or ordinances adopted to protect public health, safety and welfare, including, but not limited to, building, fire, plumbing, electrical and mechanical codes and non-conforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permits vests the specific construction project authorized by the building permit to the building, fire plumbing, electrical and mechanical codes in force at the time of the issuance of the building permit.

Section 5.08 A vested site specific development plan or vested phase development plan is subject to later local governmental overlay zoning that imposes site plan-related requirements but does not affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses.

Section 5.09 A change in zoning district designation or land-use or regulations made subsequent to vesting that affects real property does not operate to affect, prevent or delay development of the real property under a vested site specific development plan or vested phased development plan without the consent of the landowner.



Section 5.10 If real property having a vested site specific development plan or vested phased development plan is annexed, the governing body of the municipality to which the real property has been annexed must determine, after notice and public hearing in which the landowner is allowed to present evidence, if the vested right is effective after the annexation.

Section 5.11 The Oconee County Council, the Oconee County Planning Commission and local zoning, planning and code officials must not require a landowner to waive his vested rights as a condition of approval or conditional approval of a site specific development plan or phased development plan.

#### **Article VI. Nature of Vested Right.**

A vested right pursuant to this ordinance is not a personal right but attaches to and runs with the applicable real property. The landowner and all successors to the landowner who secure a vested right pursuant to this ordinance may rely upon and exercise the vested right for its duration, subject, however, to applicable federal, state and local laws adopted to protect public health, safety and welfare, including, but not limited to, building, fire, plumbing, electrical and mechanical codes and non-conforming structure and use regulations which do not provide for grandfathering of the vested right. Nothing contained herein shall preclude judicial determination that a vested right exists pursuant to other statutory provisions.

#### **Article VII. Land Owner Rights Deemed Vested**

Section 7.01 The landowner's rights are considered vested in the types of land use and density or intensity of uses defined in the development plan, and the vesting is not affected by later amendments to a zoning ordinance or land-use or development regulation if the landowner:

- (1) Obtains or is the beneficiary of a significant government act that remains in effect allowing development of a specific project; and
- (2) relies in good faith on the significant affirmative government act; and
- (3) incurs significant obligations and expenses in the diligent pursuit of the specific project in reliance on the significant affirmative government act.

Section 7.02 For purposes of this section, the following are significant affirmative governmental acts allowing development of a specified project:

- (1) the local governing body has accepted exactions or issued conditions that specify a use related to a zoning amendment; and
- (2) the local governing body has approved an application for a rezoning for a specific use; and
- (3) the local governing body has approved an application for a density or intensity of use; and
- (4) the local governing body or zoning board of appeals has granted a special exception or use permit with conditions; and
- (5) the local governing body has approved a variance; and
- (6) the local governing body or its designated agent has approved a preliminary subdivision plan, site plan or plan of phased development for the landowner's property and the applicant diligently pursued approval of the final plat or plan within a reasonable period of time under the circumstances; or

**Draft Approved by Planning Commission  
8-13-2007**

- (7) the local governing body or its designated agent has approved a final subdivision plat, site plan or plan of phased development for the landowner's property.

**Article VIII. Repeal**

All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2007

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Mr. Marion E. Lyles, Chairman  
Oconee County Council

By: \_\_\_\_\_  
Oconee County Administrator

Attest:

\_\_\_\_\_  
Oconee County Council Clerk

Veteran's Affairs Presentation  
County Council Meeting  
September 11, 2007

- Photo "A"



- Photo "B"









B

A

C

O

C

received  
8-23-07 SM

MEMORANDUM

TO: Oconee County Council Members  
Mr. Dale Surrett, County Administrator  
Mr. Mack Kelly, County Engineer

FROM: Beth Hulse, Clerk to Council

DATE: August 23 2007

RE: Citizen Feedback

Dale K. Surrett  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Wahalla, SC 29691

Phone: 864 718 1023  
Fax: 864 710 1024

E-mail:  
[bhulse@occonee.com](mailto:bhulse@occonee.com)

George C. Blanchard  
District I  
Thomas S. Crumpton  
District II  
Mario Suarez  
District III  
Mannon E. Lyles, Chair  
District IV  
H. Frank Ayles, Jr.  
District V

I received a telephone call today from Mr. Jerry Durham, University Drive, Seneca. Mr. Durham called several months ago regarding concerns about signage on his road. At that time Mr. Kelly responded promptly and the residents were very happy with the work done. Apparently the road is referred to by the local college students as "rollercoaster drive" because of the hills. Prior to any work by the Road Department there were several students that ended up in the creek.

A few weeks ago Mr. Durham called again and spoke with me regarding one additional concern about a curve. I forwarded his call/concerns to Mr. Kelly regarding that one particular area that needed additional signage.

Mr. Durham wanted me to express to Council and the Administrator what a great job Mr. Kelly and his department did to not only meet but exceed the residents expectations. The road looks great and everyone is very happy.

*Beth,  
Please include under  
Admin for next FCC meeting.*



August 29, 2007

Mr. George Blanchard &  
Members of the Oconee County Council  
Mr. Dale Surret, Supervisor  
Mr. Phil Shirley, Parks, Recreation, Tourism  
Mr. Luther Lyle, Arts & Historical Commission  
415 Pine Street Complex  
Walhalla, SC 29691

Gentlemen:

Our sincere appreciation for the work that each of you do for the voters of Oconee County. Surely, we are in your debt.

Following the remarks made by you, Mr. Blanchard, I have recovered the letters sent to the Parks, Recreation & Tourism department, and to Luther Lyle, Arts and Historical Commission.

The president of the Walhalla Civic Auditorium and I had spoken to the proper people, we thought, to be in line for a grant to match the SC Arts Commission grant of \$7500. You will note that the first written request was made November 29, 2006. Mr. Lyle came to my house in late July, 2007, saying that the letter requesting the matching grant had been "lost," and asked me to write another. Which I did.

Mr. Blanchard, I am speaking for myself: Never have I been so badly treated at an open Council meeting than with your remarks and questions made to me on August 14. The WCAI has built the Civic Auditorium with a totally volunteer Board of Directors. The voters in Oconee and the Oconee School District have manifested their faith in us time after time. We have earnestly tried to follow the rules, speak to those who needed to give permission, and sought advice and help from those that could give aid. Somewhere along the line someone dropped the ball. It was not me, nor Luther Lyle, whose Commission voted unanimously to make the request. WCAI got lost in the shuffle between Mr. Hendrix leaving and the search for a new supervisor.

The SC Arts Commission, Tom Bryan, CEO, had visited the Civic and inspected the grounds, along with the person from the state who is the watch dog for the handicapped.

The State of SC certainly thought the paving needed to be done, whatever your personal inspection revealed to you. The truth is in the eye of the beholder, I suspect.

I am asking you to make a public apology to me, and to the WCAI for your ill-mannered and thoughtless remarks. When you make that apology, I will gladly be present and accept it.

Working for Walhalla and Oconee,



Maxie W. Duke  
Publicity, Grants, President Elect

Enclosures: Copy of letter to Oconee County Council & Phil Shirley  
Copy of letter to Luther Lyle

*Copy*

November 29, 2006

Oconee County Council  
Attention: Mr. Phil Shirley, Director  
Parks, Recreation & Tourism  
415 South Pine Street  
Walhalla, SC 28691

Please consider this request for \$7500 for the Walhalla Civic Auditorium.

We plan to use these funds to pave the area around the handicap entrance in order to make it more easily accessed by the disabled patrons who attend our shows. The parking area in front of the building is in disrepair and will be included in the paving.

The estimated cost for the paving, repairing, and re-striping is close to \$15,000. We have been awarded a grant of \$7500 from the South Carolina Arts Commission Accessibility program which will have to be matched.

Thank you for your continued support of this project.

Sincerely,

Jean U. Phillips, President

*Jean U. Phillips*

Copy

July 30, 2007

Mr. Luther Lyle,  
Arts & Historical Commission  
Pine Street Complex  
Walhalla, SC 29691

Dear Mr. Lyle:

This letter is a petition to renew the request of the Walhalla Civic Auditorium grant for \$7500. This grant will be used to match the grant authorized by the SC State Arts Commission (Accessibility grant) for paving the handicap area and the entire parking lot for the building.

The project is completed. Please make the check to *Walhalla Civic Auditorium* and mail to:

Walhalla Civic Auditorium  
Barbara Wilson, Treasurer  
P. O. Box 523  
Walhalla SC 29691

Thank you for your interest and help in this project.

Sincerely yours,

Maxie W. Duke  
Grants/Publicity/Pres.Elect



**Beth Hulse**

---


**From:** Phil Shirley  
**Sent:** Thursday, September 06, 2007 11:54 AM  
**To:** Dale Surrett  
**Cc:** Art Holbrooks; Marianne Dillard; Beth Hulse; Scott Jolley  
**Subject:** RFP-Duka Energy Access Areas-Lake Keowee

Please see the attached memo regarding Mr. Blanchards request to proceed with an RFP process for access areas located around Lake Keowee. Also attached is a draft RFP we could use a starting point and some basic staff questions formulated during the creation of this sample RFP. This information should be presented to all Council members as information requested, but not as an agenda item. Thanks.

*Phil Shirley*

Director of Parks, Recreation & Tourism

Oconee County  
415 S. Pine St.  
Walhalla, SC 29691  
(864)888-1488  
[pshirley@oconeesc.com](mailto:pshirley@oconeesc.com)  
[www.oconeesc.com](http://www.oconeesc.com)



Oconee County  
Parks, Recreation  
& Tourism

Phillip S. Shirley  
Director

Oconee County  
Administrative Offices  
475 South Pine Street  
Walhalla, SC 29691

Phone: 864-888-1488  
Fax: 864-888-1489

E-mail:  
[pshirley@oconeesc.com](mailto:pshirley@oconeesc.com)  
[www.experienceoconee.com](http://www.experienceoconee.com)

TO: Dale Surrett, County Administrator  
FROM: Phillip S. Shirley, Director of Parks, Recreation & Tourism  
CC: Beth Hulse, Clerk to Council  
Art Holbrooks, Planning Director  
Marianne Dillard, Procurement Director  
Scott Jolley, Duke Energy Lakeshore Management Division  
DATE: September 6, 2007  
**RE: Duke Energy RFP-Lake Keowee Access Areas**

Duke Energy, as a follow up requirement to their Shoreline Management Plan (SMP), must submit to the Federal Energy Regulatory Commission (FERC) a Recreation Management Plan (RMP) by summer 2008 that will show the existing recreation opportunities and amenities available on the reservoir and a plan of any future additions to enhance the recreation opportunities around the reservoir. The RMP will outline the recreation provided at each access area, along with any future recreation conceptual plans at the access areas and will cover the remainder of the existing license period through 2016. Currently, Duke Energy is completing a year long Recreation User Needs Study (RUNS) of the entire project to measure the thoughts of the users and residents of the amenities available and amenities needed. Duke Energy will rely heavily on the research conclusions of the RUNS study to formulate their RMP. I serve on the steering committee for this study and will be a part of all discussions as the data is formulated into a future plan for recreation around the project.

Duke Energy is certainly open to leasing additional access areas to Oconee County and prefers to partner with government entities to provide partnership opportunities that each entity may not be able to accomplish alone. Duke Energy's priority is to make sure all FERC requirements are met through the remainder of the existing license with regards to the RMP. It is recommended from Duke Energy that we wait for the results of the RUNS study and the formulation of the RMP to make sure we incorporate appropriate amenities as described in the approved RMP.

With all that said, I am including a draft RFP that allows us a starting point from which to work from. Also attached is a list of questions from a staff meeting that would indicate we should put some time and effort into creating some forethought and direction of what we would like to see at these access areas and what our expectations will be as we move forward.



**Duke Energy RFP staff questions**

- What type of development criteria is to be placed on the RFP?
- What is the primary objective of the project?
- How should we evaluate the process?
- What timeline should be considered?
- Which access areas should be targeted first?
- How can we bind this RFP for the lengthy approval (2-3 years) process that it will go through?
- What are the County's expectations for Return on the development?
- Should the process be that we choose the most qualified developer, then, move forward to jointly formulate a conceptual site plan?
- Should the citizens be involved in the planning process?

As the RUNS study is complete and the RMP approved, we will have a better understanding of the required amenities that need to be included in the development plans and be able to better answer all the related questions in order to proceed.

## OCONEE COUNTY, SOUTH CAROLINA

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Sublease of Property to Design, Construct, Finance and Operate Facilities at Lake Keowee Access Areas, Oconee County, South Carolina.

August 22, 2007

RFP No: \_\_\_\_\_

Request For Proposal: Sublease of Property to Design, Construct, Finance and Operate Facilities at Lake Keowee Access Areas, Oconee County, South Carolina.

You are invited to submit subleasing proposals in accordance with the requirements of this solicitation which are contained herein.

Proposals are to be submitted to the Oconee County Procurement Office not later than 4:00pm, local time, \_\_\_\_\_, 2007, at which time respondents to this request will be publicly identified. Due to the possibility of negotiation with any offeror submitting a proposal which appears to be eligible to be eligible for sublease award pursuant to the selection criteria set forth in this Request for Proposal (RFP), financial terms will not be divulged at time of opening.

The solicitation does not commit Oconee County to sublease land or to pay any costs incurred in the preparation of a proposal. Oconee County reserves the right to accept or reject any or all proposals received as a result of this request, or to cancel in part or in its entirety this proposal if it is in the best interest of Oconee County to do so.

## OCONEE COUNTY, SOUTH CAROLINA

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Sublease of Property to Design, Construct, Finance and Operate Facilities at Lake Keowee Access Areas, Oconee County, South Carolina.

RFP DUE DATE/TIME: \_\_\_\_\_

RFP NUMBER: \_\_\_\_\_

POINT OF RECEIPT:

Procurement Office, Room 10  
Attn: Marianne A. Dillard  
Procurement Director  
Oconee County Administration Offices  
415 South Pine Street  
Walhalla, SC 29691

**Inquiries** - All inquiries concerning this proposal shall be addressed to the Procurement Office. **Contact with other departments or County representatives without permission of the Procurement Director may render your proposal void.**

Ten (10) bound copies and one (1) CD of your proposal shall be submitted by the due date above. Outside of package must be clearly marked with RFP number and project description above.

If downloading this solicitation from our website, it is the responsibility of the contractor to e-mail our office at [dburrell@oconeesc.com](mailto:dburrell@oconeesc.com) to be registered as a potential contractor to receive any subsequent amendments.

### SITE VISIT

Arrangements for site visits may be made by contacting:

Oconee County Procurement Office, Room 10  
Marianne A. Dillard, Procurement Director  
Oconee County Administration Offices  
415 South Pine Street  
Walhalla, SC 29691  
Phone: (864) 638-4141  
Fax: (864) 638-4142

## **SECTION 1. GENERAL INFORMATION & INSTRUCTIONS**

### **BACKGROUND**

It is the desire of Oconee County to create an atmosphere suitable for superior economic development, tourism destination and sustainable growth, which will in turn generate substantial capital investment, quality job creation and facilitate the use of the county's resources to their highest and best purpose. Oconee County also recognizes that Lake Keowee is one of its greatest resources and is seeking to help facilitate beneficial and environmentally sound development of Lake Keowee shoreline properties located in Oconee County.

Duke Energy, as part of its working relationship with the public and with local governments, can offer use, through lease agreements, of Lake Keowee shoreline properties that it controls. Oconee County is considering seeking to lease the access area(s) located in Oconee County, for the purpose of assisting quality commercial development in these areas for specific projects. For this purpose, Oconee County is seeking proposals from developers and/or investors who are considering using any of the access areas for commercial development projects. Based upon the quality and acceptability of the proposals, Oconee County will seek to lease selected access area(s) from Duke Energy, and, after approval from Duke Energy and all its affiliates, subsequently sublease, through a sublease agreement, the selected property(s) to the Developer(s) selected by the County through this request for proposal process. Only proposed commercial projects of the highest quality, involving substantial capital investment and creation of quality jobs will be considered by the County. Any such development shall be subject to all applicable County and Duke Energy building fees, permits, rules, regulations, ordinances and laws.

The County is, therefore, seeking proposals, through this solicitation (the "Request for Proposal" or "RFP"), from Developers, Investors or groups thereof that are interested in subleasing Access Area(s) for development under a sublease agreement with Oconee County. The successful Proposal(s), will be used by the County in negotiations with Duke Energy in hopes that the County will be able to enter into a lease agreement with Duke Energy to facilitate development of the proposed project(s).

All Offerors hereby acknowledge their understanding that each proposal must be approved by Duke Energy. Oconee County cannot enter into any binding agreement for the use of any Access Area(s) under any proposal without prior Duke Energy approval. The County in no way controls the decisions of Duke Energy regarding approval of the proposed projects, nor does the County control the timing of Duke Energy's review or approval of the proposals. Any proposed agreements between the Offerors and the County are subject to revisions by Duke Energy and must be approved in writing by Duke Energy before execution by the County.

- A. Proposals will be considered as specified herein or attached hereto under the terms and conditions of this solicitation.
- B. Proposal must be made in the official name of the firm or individual under which business is conducted and must be signed in ink by a person duly authorized to legally bind the person, partnership, company or corporation submitting the proposal.
- C. Those submitting proposals are to include all applicable requested information and are encouraged to include any additional information they wish to be considered.
- D. Oconee County will begin negotiations with the top ranked proposal. Should Oconee County be unable to negotiate a plan that meets Oconee County and Duke Energy's requirements, negotiations shall be formally terminated with the top ranked proposal and negotiations commenced with the second ranked proposal, and then the third and so on until a satisfactory plan has been negotiated to present to Duke Energy

The decision of Oconee County Council will be final.

**PROPOSALS SUBMITTED VIA FACSIMILE MACHINE OR E-MAIL ARE UNACCEPTABLE.**

**SECTION 2. SCOPE OF PROPOSAL**

It is the intent of Oconee County to solicit proposals to Sublease Access Area (s) on Lake Keowee to Design, Construct, Finance and Operate facilities in accordance with all the requirements stated herein.

All proposals must be complete and carefully worded and must convey all of the information requested in order to be considered responsive. If the proposal fails to conform to the essential requirements of the RFP, Oconee County alone will be the judge as to whether that variance is significant enough for the RFP to be non-responsive and therefore not considered further.



### **SECTION 3. SCOPE OF WORK**

- A. The primary purpose for Oconee County to sublease land on Lake Keowee for commercial development is to create facilities and services to meet public recreational demand at reasonable user fees, the terms and conditions of the RFP are designed to meet this objective. Toward this end developers are being sought by Oconee County to design, construct, finance and operate facilities at some or all of the access areas on Lake Keowee located in Oconee County.
- B. Oconee County is seeking a comprehensive public development that strives to obtain a balance between facilities and the natural attributes of the sites. Facilities such as lodges, restaurants and cabins might be considered.
- C. The tracts of land to be considered under a potential sub-lease are Cane Creek access area, Fall Creek access area, Keowee Town access area and Stamp Creek access area. The total tract or portions of each access area may be subleased.
- D. The tract(s) will be subleased by Oconee County, South Carolina, subject to a prime lease between Oconee County, South Carolina and Duke Energy. The terms of the sublease will be negotiated with the contractor. The sublease will require approval by Oconee County Council and Duke Energy.
- E. Plans and specifications will be reviewed by Oconee County, South Carolina, Duke Energy and all Federal agencies involved with Duke Energy and must meet all specifications of the Federal Energy Regulatory Commission (FERC) and Duke Energy's Access Area Improvement Initiative (AAII).

#### **SECTION 4. PROPOSAL CONTENTS**

To be considered for award, all proposals must include, as a minimum, the following information. All information should be presented in the listed order. All pages should be numbered and each paragraph of the proposal must correspond to and reference, by number of the paragraph in the corresponding section of the RFP. Proposals that are not organized in this manner risk elimination from consideration.

1. Name and address of applicant. If a partnership, give names and addresses of all partners. If a corporation, give names and addresses of all officers.
2. List all professionals associated with the submitted proposal and their respective qualifications (i.e., architects, engineers, attorneys, accountants, contractors and owners.)
3. Describe the facilities you propose to develop on the site(s). Provide as much detail as you wish. A narrative description of the proposal is acceptable. Drawings or sketches may be presented but are not required.
4. State, in detail, how the development will be planned, constructed, financed, operated and maintained. Include a time schedule for completion.
5. Briefly state your experience with similar or related projects. In instances of joint proposals indicate the scope and level of each party's involvement.
6. Give names, addresses and phone numbers of at least three (3) references as to your experience in this type of operation.
7. Submit sufficient evidence of your financial strength to develop such a project (i.e., most recent audit, financial statement, etc.)
8. Give names, addresses and phone numbers of at least three references as to your financial responsibility.
9. Give any additional information not covered above that you consider to be pertinent to the award of this sublease.

The written proposal should be complete and self-explanatory. However, the evaluation panel may request an oral presentation for clarification of the proposal.

**OCONEE COUNTY RESERVES THE RIGHT TO CONSIDER HISTORIC INFORMATION AND FACT, WHETHER GAINED FROM THE PROPOSAL, REFERENCES, OR ANY OTHER SOURCE. SHOULD THE REFERENCES VOLUNTEER ANY INFORMATION OUTSIDE THE SPECIFIC QUESTIONS, THIS INFORMATION MAY BE RECORDED AND USED IN THE EVALUATION STAGE.**

## **SECTION 5. AWARD CRITERIA**

Proposals will be evaluated by a review panel based on the following criteria:

- A. Respective qualifications of all team members listed as part of the proposal included, but not limited to architects, engineers, attorneys, accountants, contractors and owners.
- B. Evidence of financial strength to develop such a project.
- C. Facilities proposed to be developed on the site(s).
- D. How the development will be planned, constructed, financed, operated and maintained, including a time schedule.
- E. Experience developing similar or related projects.
- F. References as to experience in this type of operation.
- G. Evidence of financial responsibility.

## **SECTION 6. CONTRACTUAL REQUIREMENTS**

- A. Prohibition of Gratuities-Section 8-13-720 of the Code of Laws of South Carolina 1976, as amended states: "No person may offer or pay to a public official, public member, or public employee and no public official, public member, or public employee may solicit or receive money in addition to that received by the public official, public member, or public employee in his official capacity for advice or assistance given in the course of his employment as a public official, public member, or public employee." All awards made as a result of this solicitation shall conform to applicable South Carolina statutes.
- B. SC Law Clause- Upon award of a contract under this proposal, the person, partnership, association, or corporation to whom the award is made must comply with the laws of South Carolina which require such person or entity to be authorized and/or licensed to do business in Oconee County and the State of South Carolina. Notwithstanding the fact that applicable statutes may exempt or exclude this successful offeror from requirements that it be authorized and/or licensed to do business in Oconee County and this State, by submission of this signed proposal the offeror agrees to subject itself to the jurisdiction and process of the courts of Oconee County and the State of South Carolina as to all matters and disputes arising or to arise under the contract and the performance thereof, including any questions as to the liability for taxes, license, or fees levied by the State.

- C. Offeror's Qualifications- Each offeror must, upon request, furnish satisfactory evidence of its ability to furnish products or services in accordance with the terms and conditions of this proposal. Oconee County reserves the right to make the final determination as to the offeror's ability to provide the services requested herein before entering into any contract.
- D. Offeror's Responsibility- Each offeror shall fully acquaint himself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this proposal. It is expected that this will require on-site observation. The failure or omission of an offeror to acquaint himself with existing conditions shall in no way relieve him of any obligation with respect to this proposal or to the contract.
- E. Affirmative Action- The contractor will take affirmative action in complying with all Federal and State requirements concerning fair employment of the handicapped, and concerning the treatment of all employees, without regard or discrimination by reason of race, color, religion, sex, national origin or physical handicap.
- F. Prime Contractor Responsibilities- the contractor will be required to assume sole responsibility for the complete effort as required by this RFP. Oconee County will consider the contractor to be the sole point of contact with regard to contractual matters.
- G. Ownership of Material- Ownership of all data, material and documentation originated and prepared for Oconee County pursuant to this contract shall belong exclusively to Oconee County.

## SECTION 7. SPECIAL INSTRUCTIONS

- A. Intent to Perform- It is the intent and the purpose of Oconee County that this proposal permit competition. It shall be the offeror's responsibility to advise Oconee County if any language, requirements, etc., or any combinations thereof, inadvertently restricts or limits the requirements stated in this RFP to a single source. Such notifications must be submitted in writing and must be received by Oconee County not later than fifteen (15) days prior to the proposal due date. A review of such notifications will be made.
- B. Receipt of Proposals- the proposal shall be received no later than the date and time specified in this proposal. Offerors mailing proposals shall allow a sufficient mail delivery period to insure timely receipt of their proposals by the issuing office. Any proposals received after the scheduled due date and time will be immediately disqualified.
- C. Preparation of Proposal- All proposals shall be complete and carefully worded and must convey all of the information requested by Oconee County. If significant errors are found in the offeror's proposal or if the proposal fails to conform to the essential requirements of the RFP, Oconee County and Oconee County alone, will be the judge as to whether that variance is significant enough to reject the proposal.
- D. Public Access to Solicited Information- No such documents or other documents related to this solicitation will be presented or made otherwise available to any other person, agency, or organization until after the award.
- E. Confidentiality- In the event an offeror wants to include information that he does not wish to be made public, the offeror must visibly mark as "Confidential" each page of their proposal that they consider contains proprietary information. Marking the entire proposal confidential is NOT in conformance with the South Carolina Freedom of Information Act. Privileged and confidential information is defined as "Information in specific detail not customarily released to the general public, the release of which might cause harm to the competitive position of the party supplying the information." Examples of such information provided in the statute are (1) customer lists; (2) design recommendations and identification of problem areas under an RFP; (3) design concepts, including methods and procedures; (4) biographical data on key employees of the offeror.
- F. Discussion/Negotiations- By submission of a proposal offeror agrees that during the period following issuance of a proposal and prior to final award of contract, offeror shall not discuss this proposal with any party except designated employees of Oconee County.

- G. Amendments- Oral comments or discussions by Oconee County relative to this solicitation cannot add, delete or modify any written provision. Any alteration must be in the form of a written amendment to all offerors. If it becomes necessary to revise any part of the RFP, an amendment will be provided to all offerors who received the original Request for Proposal.
- H. Oral Presentation- Any offeror or offerors may be requested to make an oral presentation of their proposal to Oconee County after the proposal opening. Such presentations provide an opportunity for the vendors to clarify their proposals and to insure a thorough mutual understanding. Oconee County will schedule the time and location for these presentations. Technical questions will be addressed at this time.
- I. Environmental Studies- the selected developer shall be responsible for all required environmental documentation. Environmental assessments will be required to be completed by the developer and approved by Oconee County and Duke Energy prior to establishing a sublease.
- J. Procedure for Awarding Sublease- Oconee County will analyze the proposals received to determine whether any of the proposals require clarification, and if so, Oconee County will, by letter, request the specific clarification data required. Oconee County may require any offeror to furnish additional evidence of his financial condition, an in appropriate cases, of his ability to assume the obligations and responsibilities imposed by the terms and conditions of the sublease. No offeror will be permitted, in connection with submission of the above information, to alter any pertinent factors contained in his original proposal. Failure of an offeror to submit any of the above information, within such reasonable time as may be prescribed by Oconee County, may be the basis for rejection of his proposal. However, Oconee County reserves the rights to further negotiate any provision it deems to be in the public's interest.
- K. The sublease will be awarded to the offeror who is determined to be the most qualified financially and by virtue of experience, character and otherwise, to provide the most satisfactory facilities and services determined necessary for the proposed site and such additional facilities and services as may beneficially increase the utilization of the proposed site by the public.
- L. Award of the sublease is contingent upon the subsequent approval of the sublease by both Oconee County and Duke Energy.
- M. Rejection of Proposals- Oconee County reserves the right, as its interest may require, to reject any and all proposals; to waive any informality in proposals received; and to accept or reject any items of any proposals unless the proposal is qualified by a specified limitation. All proposals will remain open for acceptance or review for a period of ninety (90) days from opening date of proposals. Notice of award will be given to the successful offeror as soon after the date of opening



proposals as possible. Notice will be deemed to have been sufficiently given when mailed in a post-paid envelope to the offeror to the address indicated in the proposal.

- N. Default- In the event of failure on the part of the successful offeror to enter into a working contract within forty-five (45) days after the presentation to him of a draft of a sublease for execution or, upon the failure of the successful offeror to otherwise comply with the terms of the invitation for proposals, time being of the essence, Oconee County may declare the offeror in default and enter into negotiations with another offeror.
- O. Warranty- The property described herein will be leased subject to the provisions and conditions of this invitation for proposals; therefore, offerors are expected to examine the property and to form their own conclusions as to its suitability for concession purposes. Oconee County makes no guarantee or warranty, either expressed or implied, with respect to the property.
- P. Proposal Subject to These Terms- All proposals submitted shall be deemed to have been made with full knowledge of all the terms, conditions and requirements contained in this invitation and enclosures thereto.
- Q. Return of Proposals- All proposals will be kept by Oconee County for ninety (90) days from the date of opening of proposals. After such time Oconee County may dispose of proposals unless the offeror has made arrangements, at his expense, to have the proposal returned.





Michael D. Glenn  
Attorney At Law  
121 West Benson Street  
Anderson, South Carolina 29624

September 11, 2007

Ms. Linda Lovely, President  
Advocates for Quality Development, Inc.  
P.O. Box 8115  
Seneca, S.C. 29678

Dear Ms. Lovely:

As legal counsel for Advocates for Quality Development (AQD), you and your Board have asked me to review the language of the proposed Ordinance 2007-17, "Oconee County Vested Rights Ordinance." I have done so, and I believe the inclusion of "Section VII. Land Owner Rights Deemed Vested" is totally unnecessary and, more importantly, greatly increases the risk of costly lawsuits for Oconee County.

In the State vesting statute, Section 6-29-1360, was intended to provide vesting guidelines **only** in the event that a County **failed** to adopt a vesting ordinance. This section begins: "**If** a local governing body **fails** to adopt an amendment to its land development ordinance or regulations as required by this section, a landowner has a vested right to proceed in accordance with a validly approved development plan for a period of two years. ..." It then continues: "**For purposes of this section**, the landowner's rights are considered vested if the landowner: (1) obtains, or is the beneficiary of, a significant affirmative government act that remains in effect allowing development of a specific project, (2) relies in good faith on the significant affirmative government act, and (3) incurs significant obligations and expenses in diligent pursuit of the specific project in reliance on the significant affirmative government act." [Emphasis added.]

The proposed ordinance language includes the later part of Section 6-29-1360 verbatim regarding what "significant" government actions or expenditures might "vest" the landowner, but does not include the crucial precursor statement that these actions only serve to vest the landowner if a County has **not** established **specific** vesting procedures.

What's wrong with including extra "catch-all" vesting options? Here's an example of one of many potential lawsuit-ripe scenarios: Based on a conversation with a County employee, a developer thinks he has permission to grade a property and install a road for a planned subdivision. Though Article V of Ordinance 2007-17 explicitly states that "No investments in ... infrastructure, or other significant expenditures shall ... establish a vested right until the Oconee County Planning Commission has approved the site specific development plan or phased development plan ...," this developer could argue he relied on a "significant affirmative government act" (the County employee's verbal okay or a jotted "looks good" note on a sketch

SEPT.11,2007

SUBJECT; BUILDING CODES APPEAL BOARD;

DUE TO THE POSSIBLE CONFLICT OF INTEREST BY THE PRESENT BOARD MEMBERS. I REQUEST THAT ANYONE EMPLOYED BY THE COUNTY AND/OR MAY PROVIDE SERVICES TO THE COUNTY BE REMOVED FROM THIS BOARD AND ANY OTHER APPEALS BOARD AS ASSEMBLED FOR THE PURPOSE OF HEARING APPEALS FROM CITIZENS TO COUNTY.

I WOULD NOT OBJECT TO A DEPT. HEAD SETTING IN ON THE APPEAL BOARD FOR PURPOSE OF ADVISOR ONLY.

COPIES TO;  
COUNTY COUNCIL MEMBERS  
COUNTY ADMINISTRATOR;

BERRY NICHOLS  
211 WEST PARK DR  
WALHALLA, S.C. 29691

# More litter pickup crews to work roads

Deal to shift many misdemeanor sentences from fines, jail to community service

By Ben Szobody

STAFF WRITER

bszobody@greenvillenews.com

Instead of jail or a fine, local residents convicted of misdemeanors could soon get orange vests and pickup tongs to serve their sentence.

Five months after Sheriff Steve Loftis, county magistrates and Greenville County Council members agreed in principle to sentence more people to community service to create roadside litter crews, County Administrator Joe Kernell said he had taken care of a key hang-up: legal liability in case of injury.

With a new document now protecting the county, Kernell swung and clenched a shiny pair of new pick-up tongs in a committee meeting and said the litter crews could keep convicts from paying fines and out of jail.

Loftis wasn't present, but Chief Deputy John Eldridge said he's hammering out the details with local magistrates, who have previously said they'd be more than willing to sentence more people convicted of litter, fraudulent checks or disorderly conduct to community service instead of the alternatives.

## YOU CAN HELP

■ Greenville County's solid waste division and Palmetto Pride have organized a countywide litter pickup day Sept. 15. To sign up, call 234-5781.

County staffers wore new orange vests and said bugs, gloves and tools have already been stockpiled.

Councilman Joe Dill said he gets constant litter complaints — including one about a man in his northern county district who drives about half a mile from his home before dropping his garbage on the roadside.

Loftis has said he uses 10-30 people for weekend trash clean-up who have been sentenced through the state system, and that the force "doesn't get very far."

Eldridge said the new force would be mostly used on the weekends, though he told *The Greenville News* he didn't know how many people or how many miles of roads would be involved.

Dill told Eldridge he expects "great and mighty things."

"I'd love to see this county clean," he said.

# States are starting to drop tax breaks from their pitch to attract new business

## Critics say public not getting money's worth or inducements used to woo new commerce

By Dennis Coyle  
SA Today

Generous tax breaks given to companies that threatened to take their business elsewhere are being under-reassessing soon, from state and local officials say, as employers aren't getting their money's worth.

Critics say the tax breaks and other financial incentives have been out of hand, costing taxpayers billions of dollars and doing little for the economy.

"There's an entitlement mentality about tax breaks today," Kansas City Mayor Mark Frankhouser says. "Every developer thinks it's his right not to pay property taxes." Frankhouser was elected mayor in May after campaigning against tax breaks to developers, including one for a luxury condo development in an affluent part of his city.

Supporters of incentives say the deals are critical to keeping economies strong, especially in depressed areas. "A well-thought-out portfolio of incentives is vital to being competitive for quality projects," says Jim Finn, commerce secretary in North Carolina, which has

been aggressive in providing economic assistance to companies. In March, North Carolina gave \$312 million in state and local assistance over 30 years to lure a \$600 million Google server operation to Lenoir.

State and local governments offer about \$50 billion a year in tax breaks and other economic incentives, according to economist Alan Peters and Peter Fisher.

Academics say there is little evidence to show that tax breaks have a lasting effect on local economy.

Property tax breaks to manufacturers appear to boost industrial employment for a short time, says University of Nebraska economist John Anderson, a former Michigan economic developer. But the impact of incentives dissipates quickly, so in a few years, there's no benefit to employment, he says.

Among the states re-examining economic development incentives:

**New York:** The state sent 4,000 letters in July to companies that had been given tax breaks in exchange for promises to invest money and create jobs. The letters went to companies that failed to meet 60 percent of their investment and employment goals.

**Arizona:** The legislature passed a law in July that limits sales tax breaks that local governments can give retailers. Cities and counties had been slashing sales tax rates to attract big chains such as Wal-Mart, Home Depot and Nordstrom. That hurt local businesses, whose customers paid the full tax.

**Mississippi:** Tax breaks given to a beef factory, which closed in 2004, have become a key issue in the political campaign for state agriculture com-

missioner. Taxpayers lost \$55 million in the deal.

**New York Gov. Eliot Spitzer** ordered an audit of firms that have received tax benefits by locating in low-tax Empire Zones, the state's premier economic development program. These zones provide more than \$600 million a year in tax breaks to 4,000 businesses.

The audit found that 3,000 hadn't met even 60 percent of their goals for investment or jobs. But no businesses have been cited for failing to live up to their promises of jobs and investment, says Dan Gaudreau, one of Spitzer's economic development chiefs.

Frankhouser, the Kansas City mayor, says tax breaks take money from services that make a local economy successful. "Tax breaks are like taking a patcher to mend the underlying problem," he said.

Zeigel & Co., a boutique investment bank. Rather, the net impact on their earnings come as they are forced to raise their reserves to cover loans.

Average rates on six-month, year and five-year CDs are